

NATIONAL POLICIES

H. R. 147. Moratorium, to authorize postponement of amounts payable to United States from foreign governments during 1932. Vote taken December 22, 1931, nay.

S. 1. Reconstruction Finance Corporation, to provide emergency financing facilities for banks, railways, and other institutions. Vote taken January 11, 1932 (paired), nay.

H. R. 2667. Hawley-Smoot tariff bill. Vote taken May 19, 1930, nay.

H. R. 15593. To provide compulsory military training in schools supported by public funds. Vote taken January 29, 1931, nay.

H. R. 10286. To increase number of national reserve officers for training from 16,000 to 20,000. Vote taken February 27, 1928, yes.

S. Res. 52. Tariff rates should be reduced immediately. Vote taken January 16, 1928, yes.

AGRICULTURE

Mr. President, there are two theories as to how conditions may be helped. There is one opinion to the effect that if the big corporations, such as the railroads, the banks, the insurance companies, and the captains of industry can be made prosperous, then perchance a few crumbs from their tables may fall to those below who perform the labor, create the wealth—many of whom to-night are in want and distress.

Another theory, and the one to which I subscribe, is that if something can be done to provide work at remunerative wages and thereby reinvest buying power in the great mass of our people, then through such a plan the big corporations and the financial giants are certain to get their rewards in the form of profits and dividends.

IN SUPPORT OF SMITH AMENDMENT PROVIDING FUNDS TO BE LOANED TO FARMERS

Mr. President, the agricultural class must not be overlooked. Farmers, en masse, constitute our largest single group. Thirty million American citizens, men, women, and children, reside and live upon the farms. Add to the army of the unemployed the agricultural group and you have one-half, at least, of our total population—the farmers without buying power and the unemployed without means of support. The amendment submitted by the Senator from South Carolina is the only item in any bill having a chance of passage, which proposes even a shadow of relief for one-half the population of America.

S. Res. 91. Borah resolution limiting tariff hearings to agricultural schedules. Vote taken June 17, 1929, yes.

H. R. 7893. Cooperative marketing bill. Vote taken January 26, 1926, yes.

S. 4808. McNary-Haugen farm relief bill. Vote taken February 17, 1927, yes.

S. 1. Farm marketing relief bill. Vote taken June 14, 1929, yes

IMMIGRATION

S. 51. To limit immigration. Vote taken May 13, 1930, yes.

CONFIRMATIONS

Confirmation of George Otis Smith to be member Federal Power Commission. Vote taken December 20, 1930, nay.

Confirmation of John J. Parker to be an associate justice of the United States Supreme Court. Vote taken May 7, 1930 (paired), nay.

WALSH RESOLUTION

S. Res. 83. Walsh resolution to investigate public utilities. George of Georgia amendment to have investigation made by Federal Trade Commission. Vote taken February 15, 1928, yes.

Resolution on final passage. Vote taken February 15, 1928, yes.

"LAME-DUCK" SESSION

S. J. Res. 14. To abolish "lame-duck" sessions of Congress. Vote taken January 8, 1932, yes.

FEDERAL HUNTING LICENSES

S. 1271. Migratory bird bill, to strike out Federal hunting license requirements. Vote taken April 17, 1928, yes.

SECRET SENATE SESSIONS

S. Res. 19. To abolish secret executive sessions of the Senate. Vote taken June 18, 1929, yes.

ECONOMY

S. 4663. Appropriation of \$125,000,000 for public buildings in Washington, D. C. Vote taken February 7, 1927, nay.

S. 2005. Enlargement of Capitol Grounds. Vote taken June 21, 1926, nay.

S. 4750. To spend \$30,000,000 in repairing three battleships. Vote taken January 16, 1931, nay.

Amendment providing for establishment of summer White House at Mt. Weather, Va. Vote taken February 27, 1929, nay.

S. 51. To authorize construction of 150 battleships at cost of \$1,000,000,000. Vote taken May 6, 1932, nay.

H. J. Res. 107. Reduction and limitation of armaments. Vote taken January 18, 1926, yes.

S. Con. Res. 1. By THOMAS of Oklahoma: Instructing committee to reduce all appropriations to essential and unavoidable items. Resolution pending.

H. J. Res. 133. Rebating income-tax payers \$160,000,000. Vote taken December 14, 1929, nay.

RECESS

Mr. SMOOT. Mr. President, I move that the Senate, in accordance with the order previously made, take a recess until 12 o'clock to-morrow.

The motion was agreed to; and the Senate (at 10 o'clock p. m.), under the order previously entered, took a recess until to-morrow, Tuesday, May 17, 1932, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

MONDAY, MAY 16, 1932

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Heavenly Father, the morning is Thy great gift! It is always morning where Thou art. We thank Thee for the morning star, for the morning light, and for the morning hope and promise. O fill our souls with the beauty and the glory of the daydawn. Let Thy spirit constrain us to every good word and work by permitting us to hear Thy voice, feeling Thy nearness, and being conscious of Thy power and purpose. Stand by, O Lord, ignoring our weakness, whispering peace into our breasts and inspiring us with strength and hope. Lift us up to a high realization that reality surpasses all dreams, that goodness lives on, and that love will outshine all earthly radiance forever and ever. Amen.

The Journal of the proceedings of Saturday, May 14, 1932, was read and approved.

STATUS OF OPERATING PERSONNEL OF AIRCRAFT IN NAVY AND MARINE CORPS

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the calendar.

The Clerk called the first bill on the Consent Calendar, H. R. 6599, to amend the act entitled "An act to authorize the construction and procurement of aircraft and aircraft equipment in the Navy and Marine Corps, and to adjust and define the status of the operating personnel in connection therewith," approved June 24, 1926, with reference to the number of enlisted pilots in the Navy.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LaGUARDIA. Reserving the right to object, will the gentleman from Georgia give us a little explanation of this matter?

Mr. VINSON of Georgia. Mr. Speaker, this bill was reported to the House by the gentleman from New Jersey [Mr. SUTPHIN], but I will endeavor to answer any questions which the gentleman from New York may desire to ask.

Mr. LaGUARDIA. May we not let this go over until the gentleman from New Jersey is present?

Mr. VINSON of Georgia. Has the gentleman from New York any objection to the bill?

Mr. LaGUARDIA. I think that what the bill seeks to do is a matter of policy of great importance, and whether or not we should extend to a greater degree flying status to enlisted men is one which requires a great deal of thought and study.

Mr. VINSON of Georgia. The object of the bill is not to do that. The object of the bill is to do the opposite thing.

Mr. LaGUARDIA. Why?

Mr. VINSON of Georgia. Under the law to-day 30 per cent of our pilots must be enlisted men. The proposal is to change it and require only 20 per cent enlisted men, for the reason that both the Army and the Navy are experiencing considerable difficulty in complying with the law.

Mr. LaGUARDIA. I would go down to 15 per cent.

Mr. VINSON of Georgia. Well, I think 20 per cent is what the Army has. It must be borne in mind that the standard now requires 30 per cent of all pilots to be enlisted

men, and it is so drastic that the department can not get aviators.

Mr. LA GUARDIA. I agree to that.

Mr. VINSON of Georgia. The object of this bill is to make it 20 per cent instead of 30 per cent.

Mr. LA GUARDIA. I think 20 per cent is too high.

Mr. VINSON of Georgia. I suggest the gentleman let the bill be passed at 20 per cent, because it is half of the loaf which the gentleman is advocating. If 20 per cent is too high, I am willing to go along with the gentleman for a further reduction.

Mr. LA GUARDIA. Especially in naval aviation, and no one has urged it stronger than the gentleman from Georgia [Mr. VINSON] that they must also know navigation.

Mr. VINSON of Georgia. That is correct.

Mr. LA GUARDIA. And must be trained in Navy maneuvers.

Mr. VINSON of Georgia. But at the same time I do not want the aviation organization composed exclusively of graduates of the Naval Academy. I want the boy who enlisted in the Navy to have some incentive and ambition to get into the aviation branch, and this bill affords him an opportunity.

Mr. LA GUARDIA. But he must have the educational background in order to be a successful pilot.

Mr. VINSON of Georgia. That is correct. I suggest to the gentleman that we are both together in that, and that the gentleman should let this bill go through, because it is in harmony with what is in the gentleman's mind.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That paragraph 8 of section 3 of the act of June 24, 1926 (44 Stat. L. 767; U. S. C., Supp. V, title 34, sec. 735), entitled "An act to authorize the construction and procurement of aircraft and aircraft equipment in the Navy and Marine Corps, and to adjust and define the status of the operating personnel in connection therewith," is hereby amended to read as follows: "On and after July 1, 1931, and in time of peace, not less than 20 per cent of the total number of pilots employed in aviation tactical units of the Navy and Marine Corps shall be enlisted men, except when the Secretary of the Navy shall determine that it is impracticable to secure that number of enlisted pilots."

With the following committee amendment:

Page 2, line 2, strike out "1931" and insert in lieu thereof "1932."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

ADDITIONAL JUSTICE OF THE COURT OF APPEALS OF THE DISTRICT OF COLUMBIA

The Clerk called the next bill on the Consent Calendar, H. R. 11336, providing for an additional justice of the Court of Appeals of the District of Columbia.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the President is authorized to appoint, by and with the advice and consent of the Senate, an additional justice of the Court of Appeals of the District of Columbia, who shall possess the same powers, perform the same duties, and receive the same compensation and allowance as the present justices of said court.

Sec. 2. That whenever a vacancy shall occur in the office of justice of said court because of the death or retirement of Justice Charles H. Robb, such vacancy shall not be filled without further authorization by Congress: *Provided*, That not more than five justices of said court shall sit at any one time, to be designated by the chief justice of said court.

With the following committee amendment:

Page 2, line 4, strike out the word "chief" and insert the word "presiding."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

MEMORIAL TO THEODORE ROOSEVELT

The Clerk called the next bill on the Consent Calendar, S. 290, to establish a memorial to Theodore Roosevelt in the National Capital.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Director of Public Buildings and Public Parks of the National Capital be, and he is hereby, authorized to accept and receive as a gift from the Roosevelt Memorial Association (Inc.), for and in behalf of the United States, the island in the Potomac River heretofore variously known as Barbadoes, Analostan, and Masons Island, together with accretions thereto; and that, upon acceptance of this gift of land, the said island shall hereafter be known as Roosevelt Island and shall be maintained and administered by the Director of Public Buildings and Public Parks of the National Capital as a natural park for the recreation and enjoyment of the public: *Provided*, That no general plan for the development of the island be adopted without the approval of the Roosevelt Memorial Association; and that, so long as this association remains in existence, no development, inconsistent with this plan, be executed without the association's consent.

Sec. 2. That the director is hereby authorized to provide suitable means of access to and upon the said Roosevelt Island as appropriations are made available from time to time and subject to the approval of the National Capital Park and Planning Commission; and that the appropriations needed for such construction and annually for the care, maintenance, and improvement of the said lands and improvements, are hereby authorized to be made from any funds not otherwise appropriated from the Treasury of the United States.

Sec. 3. That the Director of Public Buildings and Public Parks be, and he is hereby, further authorized and directed to permit the Roosevelt Memorial Association (Inc.) to erect on said Roosevelt Island such monument or memorial and related structures as may be recommended by it and approved by the National Commission of Fine Arts and the National Capital Park and Planning Commission.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

SALE OF REAL ESTATE UNDER DECREE OF UNITED STATES COURT

The Clerk called the next bill on the Consent Calendar, H. R. 6678, amending section 1 of the act of March 3, 1893 (27 Stat. L. 751), providing for the method of selling real estate under an order or decree of any United States court.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Reserving the right to object, Mr. Speaker, I am in sympathy with the purposes of the bill. I merely wish to inquire, in case private sale can not be negotiated as provided under the terms of the bill, whether there is authorization to sell the property at public sale. I have provided an amendment to meet that emergency. In private conversation with the gentleman from Pennsylvania [Mr. COCHRAN] and the gentleman from Rhode Island [Mr. CONDON] they have informed me that they did not think it was necessary as the general law would appertain.

Mr. COCHRAN of Pennsylvania. The general law would take care of that situation. The general law is not disturbed by this act. There is simply an additional method provided; that is, a sale at private sale is authorized.

Mr. STAFFORD. Does the gentleman object to incorporating an amendment after the last proviso, reading as follows:

And provided further, That if, after the lapse of a reasonable time, no such sale can be effected, then the court may authorize a public sale as provided herein, on such terms as he may determine.

That gives the court still further authority, on such terms as he may determine. I think this would improve the general authorization.

Mr. CONDON. Mr. Speaker it would be harmless, but it would not be necessary. This is merely permissive and gives a court, in equity matters, the same authority which the court now has in bankruptcy matters. Any further amendment, while harmless, would not add anything to the bill.

Mr. STAFFORD. The purpose of the amendment was to make certain that if the sale could not be effected at private sale, then the court would be authorized, after a

reasonable time, to authorize public sale on such terms as he may determine.

With that understanding, I withdraw the reservation of objection and will offer the perfecting amendment.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 1 of the act of Congress approved the 3d day of March, 1893, chapter 225, be amended so as to read as follows:

"All real estate or any interest in land sold under any order or decree of any United States court shall be sold at public sale at the courthouse of the county, parish, or city in which the property, or the greater part thereof, is located, or upon the premises, as the court rendering such order or decree of sale may direct: *Provided, however,* That the court may, upon petition therefor and a hearing thereon after such notice to parties in interest as said court shall direct, if it find that the best interests of said estate will be conserved thereby, order and decree

With the following committee amendment:

Provided further, That the court shall appoint three disinterested persons to appraise said property and said sale shall not be confirmed for less than two-thirds of the appraised value.

The committee amendment was agreed to.

Mr. STAFFORD. Mr. Speaker, I offer an amendment to follow the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: "*And provided further,* That if after the lapse of a reasonable time, no such sale can be effected, then the court may authorize a public sale as provided herein, and on such terms as he may determine."

Mr. McKEOWN. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. Certainly.

Mr. McKEOWN. There is a law governing public sale. Will not this amendment complicate things?

Mr. STAFFORD. Not at all. The bill itself embodies full authorization for public sale and private sale. This really makes it more certain as to the real purpose to be attained.

Mr. LA GUARDIA. It does not complicate it at all.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider laid on the table.

NATIONAL GUARD, ORGANIZED RESERVES

The Clerk called the next bill, S. 1690, to make provision for the care and treatment of members of the National Guard, Organized Reserve, Reserve Officers' Training Corps, and citizens' military training camps who are injured or contract disease while engaged in military training, and for other purposes.

Mr. LA GUARDIA. Mr. Speaker, reserving the right to object, it seems to me that here we have a situation where the War Department is recommending expenditures similar to those contained in a bill vetoed by the President a few days ago which would have given only hospitalization and treatment at Soldiers' Home to another branch of the service. Under the circumstances, I do not believe this is necessary or prudent legislation at this time. I object.

Mr. HOLADAY. Mr. Speaker, I object.

Mr. UNDERHILL. Mr. Speaker, I object.

EMERGENCY RELIEF PALO VERDE, CALIF.

The Clerk called the next bill, H. R. 11183, for emergency relief of Palo Verde Valley, Calif.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, this bill makes a charge of some \$70,000 upon the Treasury for rediking of the Colorado River. It is true that some damage may result to dwellers in the irrigation district, and yet it is all problematical, so far as I read the report.

Mr. SWING. Mr. Speaker, I have a later report addressed to the chairman of the committee [Mr. Wilson] in which the Secretary states unequivocally that "an emergency situation is inevitable and assistance as proposed in the bill will be essential regardless of causes for the present situation in the valley."

The cause of the present situation in the valley was an act of the United States Government itself in the building

of the Laguna Dam below this valley which caused a change in the slope of the bed, or the gradient, of the river in front of this valley whereby the bed of the river was raised between 6 and 7 feet and throwing this menace upon the community. After creating this menace, the Government can not turn its back upon the situation and abandon the community to its fate without doing an immoral act.

Mr. STAFFORD. This condition is some 20 miles from where the dam was originally constructed, which is a great distance. I can understand how these dwellers would like to have the National Government do something which they should really do themselves.

Mr. SWING. There can be no question about the direct relation of cause and effect.

Mr. WILSON. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. WILSON. The hearings and report show that an emergency exists now and these accumulations will cause damage that will cost the Government many times this amount.

Mr. STAFFORD. Why does not the locality do this work?

Mr. SWING. It is absolutely bankrupt.

The SPEAKER. Is there objection?

Mr. CLARKE of New York, Mr. MARTIN of Massachusetts, Mr. STAFFORD, and Mr. SNOW objected.

REGULATION OF THE MANUFACTURE AND SALE OF STAMPED ENVELOPES

The Clerk called the next bill, H. R. 8576, to regulate the manufacture and sale of stamped envelopes.

The SPEAKER. Is there objection?

Mr. LA GUARDIA and Mr. GOSS, objected.

PARCEL POST SERVICE

The Clerk called the next bill, H. R. 11152, to amend section 293, title 39, of the United States Code, Supplement V, to promote Parcel Post Service.

Mr. LA GUARDIA. Mr. Speaker, reserving the right to object, I shall not object if the 5-cent rate recommended by the Post Office Department is accepted.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, this means that the Government will be put to further and further expense in connection with the Parcel Post Delivery Service, and I object.

Mr. EATON of Colorado, Mr. COLE of Iowa, Mr. FERNANDEZ, and Mr. MALONEY also objected.

REPEAL OF SECTION 7 OF THE POSTAL ACT

The Clerk called the next bill, S. 621, to repeal section 7 of the postal act approved May 29, 1928.

The SPEAKER. Is there objection?

Mr. LA GUARDIA, Mr. STAFFORD, and Mr. CLARKE of New York objected.

EDUCATION, MEDICAL ATTENTION, AND RELIEF OF DISTRESS OF INDIANS

The Clerk called the next bill, S. 3110, authorizing the Secretary of the Interior to arrange with States for the education, medical attention, and relief of distress of Indians, and for other purposes.

Mr. LA GUARDIA. Mr. Speaker, this inaugurates an absolutely new policy, which I fear will be very costly. I can not see any good to the Indians, and for the present I shall object.

Mr. HASTINGS, Mr. McKEOWN, and Mr. COLE of Iowa also objected.

TRANSFER OF CERTAIN SCHOOL LANDS IN NORTH DAKOTA TO THE INTERNATIONAL PEACE GARDEN

The Clerk called the next bill, H. R. 10302, to provide for the transfer of certain school lands in North Dakota to the International Peace Garden (Inc.).

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. HALL of North Dakota. Mr. Speaker, I ask unanimous consent to substitute for the House bill an identical Senate bill, S. 4416.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That notwithstanding any provision of any law of the United States to the contrary, the State of North Dakota is hereby authorized to provide by law for the transfer without cost of all of section 36, township 164 north, range 73 west, fifth principal meridian, containing 640 acres, more or less, according to the United States Government survey thereof, to the International Peace Garden (Inc.), a corporation organized and existing under the laws of the State of New York, to be used and maintained by the said International Peace Garden (Inc.), and in connection with other lands in the State of North Dakota and in the Province of Manitoba, Dominion of Canada, as a memorial to commemorate the long-existing relationship of peace and good will between the people and Governments of Canada and the United States.

The conveyance from the State of North Dakota to said International Peace Garden (Inc.) shall contain a provision that if said land shall at any time thereafter cease to be used and maintained as an international peace garden the land shall revert to the State of North Dakota, and upon reversion to the State of North Dakota said land shall become subject to the laws of the United States applying thereto to the same extent as if this act had not been enacted.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

A similar House bill was laid on the table.

DEPARTURE OF CERTAIN ALIENS FROM THE UNITED STATES

The Clerk called the next bill, H. R. 7793, to secure the departure of certain aliens from the United States.

There being no objection, the bill was read, as follows:

Be it enacted, etc., That section 15 of the immigration act of 1924 be amended to read as follows:

"The admission to the United States of an alien excepted from the class of immigrants by clause (1) (except a Government official and his family), (2), (3), (4), (5), or (6) of section 3, or declared to be a nonquota immigrant by subdivision (e) of section 4, shall, be for such time as may be by regulations prescribed, and under such conditions as may be by regulations prescribed (including, when deemed necessary for the classes mentioned in clause (2), (3), (4), or (6) of section 3 and subdivision (e) of section 4, the giving of bond with sufficient surety, in such sum and containing such conditions as may be by regulations prescribed) to insure that at the expiration of such time or upon failure to maintain the status under which admitted he will depart from the United States."

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider laid on the table.

LIQUIDATING BONDED AND OTHER OUTSTANDING INDEBTEDNESS OF THE FARMERS' IRRIGATION DISTRICT, NEBRASKA

The Clerk called the next bill, H. R. 10748, for liquidating bonded and other outstanding indebtedness of the farmers' irrigation district, Nebraska.

Mr. LaGUARDIA. Mr. Speaker, reserving the right to object, I would like to have this bill passed over without prejudice.

The SPEAKER. Is there objection?

Mr. GOSS. Mr. Speaker, I object.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GOSS. Mr. Speaker, I object.

AMENDMENT OF THE RADIO ACT OF FEBRUARY 23, 1927

The Clerk called the next bill, H. R. 11155, to amend the radio act of February 23, 1927, as amended (U. S. C., Supp. V, title 47, sec. 85), and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER. Without objection, a similar Senate bill, S. 4289, will be substituted for the House bill.

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That section 5, subparagraph C, of the act of February 23, 1927, as amended (U. S. C., title 47, sec. 85), is amended by striking out the word "persons" after the words "issue them to such" and inserting the words "citizens of the United States," so that the amended paragraph will read: "to prescribe the qualifications of station operators, to classify them according to the duties to be performed, to fix the forms of such licenses, and to issue them to such citizens of the United States as he finds qualified."

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

A similar House bill was laid on the table.

APPOINTMENT OF AN ADDITIONAL DISTRICT JUDGE FOR THE DISTRICT OF NEW JERSEY

The Clerk called the next bill, H. R. 5342, to provide for the appointment of an additional district judge for the district of New Jersey.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. O'CONNOR. Mr. Speaker, reserving he right to object, is this an additional judge, or is it filling one of those temporary appointments?

Mr. SUMNERS of Texas. As the gentleman will recall, a few years ago there were some 23 or 24 judgeships provided for in an omnibus bill. This judge has recently died and left a vacancy, and this bill is to fill that vacancy. It does not create an additional judgeship.

Mr. O'CONNOR. I want to get the distinction clear. The gentleman knows my attitude in this matter.

Mr. SUMNERS of Texas. Yes.

Mr. O'CONNOR. We created certain temporary judgeships which were asked for as temporary matters. Everybody connected with the passage of the bill agreed that when those judges died, or resigned, their places would not be filled. I think that promise and understanding, in good faith, should be carried out. If New Jersey needs an additional judge, I have no objection to that, but I do object to filling these positions which were understood by everybody to be temporary, because it is a breach of faith with the Congress to come back now and ask to make those positions permanent.

Mr. STAFFORD. Will the gentleman yield?

Mr. O'CONNOR. Yes.

Mr. STAFFORD. Can not the gentleman conceive of conditions changing since the remedial legislation referred to was enacted?

Mr. O'CONNOR. Then, let them ask for an additional judge.

Mr. GOLDER. Will the gentleman yield?

Mr. O'CONNOR. Yes.

Mr. GOLDER. I may say to the gentleman that there is a pressing need for an additional judge at this time in this district.

Mr. SUMNERS of Texas. May I say to the gentleman from New York that this is the situation: When that bill was passed it was hoped, of course, there would not be any necessity to make permanent these positions. But, as a matter of fact, as vacancies have occurred through death it has not been found possible to reduce the number of judges sitting in the several districts. This judge has been sitting for a long time in this district—Hon. William A. Runyon. He has died and this has left that district with one judge less than it has been accustomed to having. This bill does not propose to add a new judge to that district but to give the district the same number of judges it has had since 1923 or 1924.

Mr. O'CONNOR. Will the appointment of the new judge be a temporary or a permanent appointment?

Mr. SUMNERS of Texas. It will not be a temporary appointment, and I think it is the unanimous opinion of the committee that the number of judges who have been sitting in this district is required by the business of the district; and while there is tremendous pressure everywhere to increase the number of judges, this bill does not increase the number of judges in this district but retains to New Jersey the same number of judges it has had for many years, and I hope the gentleman will not object.

Mr. O'CONNOR. I do not intend to object, but I want to get the matter straight and I hope the committee will follow the views of some people, because the first thing we know there will be coming in here a big omnibus bill or there will be logrolling to have every one of these 23 judgeships made permanent. That is what is going to happen.

Mr. SUMNERS of Texas. It has almost happened.

Mr. O'CONNOR. It is something that ought not to happen. If they need new judgeships, we should provide for such additional judgeships, but not make those temporary judgeships permanent.

Mr. SUMNERS of Texas. Does not the gentleman think it is six of one and half a dozen of the other?

Mr. O'CONNOR. No; I think there is an important principle involved there. When the people interested came in and asked for these temporary judgeships that was all they requested, and they should not now use any device or trick on the Congress.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER. Without objection, the Clerk will report a similar Senate bill (S. 1335).

There was no objection.

The Clerk read as follows:

Be it enacted, etc., That the President is authorized to appoint, by and with the advice and consent of the Senate, one additional district judge for the District Court of the United States for the District of New Jersey, who shall reside in such district, and whose compensation, duties, and powers shall be the same as now provided by law for other district judges. A vacancy occurring at any time in the office of the district judge herein provided for is authorized to be filled.

Mr. PERKINS. Mr. Speaker, I offer an amendment to the Senate bill.

The Clerk read as follows:

Amendment offered by Mr. PERKINS: "That the President of the United States be, and he is hereby, authorized and directed, by and with the advice and consent of the Senate, to appoint a judge to fill a vacancy in the District Court of the United States for the District of New Jersey, occasioned by the death of Hon. William A. Runyon, who was appointed as additional judge in said district under the provisions of the act of Congress entitled 'An act for the appointment of an additional circuit judge for the fourth judicial circuit, for the appointment of additional district judges for certain districts, providing for an annual conference of certain judges, and for other purposes,' approved September 14, 1922 (U. S. C., title 28, sec. 3). A vacancy occurring at any time in the office of district judge referred to in this act is authorized to be filled."

Mr. LA GUARDIA. Mr. Speaker, I ask recognition on the amendment.

I want to take this time to call the attention of the House to judicial "joy riding." I have here a report from the Comptroller General for the last two years, Mr. Speaker, showing that Federal judges—and I have only taken one district, which is the southern district of New York—come to New York, travel, sit a few days, go home, charge up their traveling expenses, come back, and sit for another few days more. The same condition, I am informed, exists as to the eastern district of New York, which is in Brooklyn, a part of New York, and in New Jersey, just across the Hudson River from New York City.

Here is the case of a judge in Brooklyn, the eastern district of New York, sitting in the southern district of New York for five days and charging \$50 extra per diem compensation. I leave it to all my colleagues from the city of New York if there are not a million people working in Manhattan and going to their homes in Brooklyn every night.

I have here the case of a circuit judge in Connecticut, living within a few hours of New York and within commuting distance of New York, coming regularly into Manhattan and sitting as a district judge. In three years—1929 to 1931—he drew \$5,800.40 extra as allowance and travel expenses.

Why, Mr. Speaker, this will show that some judges run up extra pay annually by sitting in the southern district of New York. Here is a case where a judge came all the way from the far West to the city of New York, stayed for a few days, and charged his per diem and travel allowance. I do not want to take the time of the House on consent day, and so I ask unanimous consent that I may put this statement in the Record.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. DYER. Reserving the right to object, I would like to ask the gentleman what is his remedy for this situation? Is it not to create sufficient judges to take care of the work in the southern district of New York so as to make unnecessary the calling in of other judges?

Mr. LA GUARDIA. The remedy is, when an extra judge is required, for that judge to go to the district of New York and stay there until the work is finished.

Mr. O'CONNOR. Will the gentleman yield?

Mr. LA GUARDIA. I yield.

Mr. O'CONNOR. I do not know whether the gentleman knows it, but it is commonly stated around the court building that these judges do not come from California to New York City at the request of the New York judges. There is a standing waiting list for a chance to come to New York for a vacation, to go to the theater and to the night clubs. That is well known.

Mr. LA GUARDIA. The gentleman is putting it very bluntly.

Mr. GREEN. Will the gentleman yield?

Mr. LA GUARDIA. I yield.

Mr. GREEN. I believe the gentleman is a member of the Judiciary Committee, and I suggest that your committee bring in a bill to prohibit the payment of this mileage. The salaries of the judges can not be decreased, but everybody else is taking a cut, and there is no reason why they should not.

Mr. LA GUARDIA. I will say to the gentleman that I did introduce a resolution asking the Department of Justice for information as to the machinery of the assignment of judges and how it is worked out. The information has been furnished to the Judiciary Committee. Rest assured I am going through with it and prepare necessary legislation to prevent such abuses.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The following is the matter referred to by Mr. LA GUARDIA:

Simon L. Adler, district judge, Rochester, N. Y.:

Travel pay, Sept. 1, 1930, Rochester, N. Y., to New York City	\$21.10
Subsistence, Sept. 1 to 7, 1930, 7 days	70.00
Travel pay, Sept. 12, 1930, New York City to Rochester, N. Y.; Sept. 14, 1930, Rochester, N. Y., to New York City	45.20
Subsistence, Sept. 8 to 14, 1930, 6 days	60.00
Travel pay, Sept. 19, 1930, New York City to Rochester, N. Y.; Sept. 21, 1930, Rochester, N. Y., to New York City	45.20
Subsistence, Sept. 15 to 21, 1930, 6 days	60.00
Travel pay, Oct. 2, 1930, New York City to Rochester, N. Y.	24.60
Subsistence, Oct. 1 to 2, 1930, 2 days	20.00
Subsistence, Sept. 22 to 30, 1930, 9 days	90.00
Travel pay, Dec. 5, 1930, Buffalo, N. Y., to New York City; Dec. 6, 1930, New York to Buffalo	46.44
Subsistence, Dec. 5 to 6, 1930, 2 days	20.00
Travel pay, Jan. 23, 1931, Rochester, N. Y., to New York; Jan. 24, 1931, New York City to Rochester	40.50
Subsistence, Jan. 23 to 24, 1931, 2 days	20.00
	\$563.04

Harry B. Anderson, district judge, Memphis, Tenn.:

Travel pay, Feb. 2 to 4, 1929, Memphis, Tenn., to New York	55.00
Subsistence, Feb. 2 to 13, 1929, 12 days	120.00
Travel pay, Feb. 28 to Mar. 2, 1929, New York to Memphis, Tenn.	55.00
Subsistence, Feb. 14 to Mar. 2, 1929, 17 days	170.00
Travel pay, July 7 to 9, 1929, Memphis, Tenn., to New York	55.00
Subsistence, July 7 to 16, 1929, 10 days	100.00
Subsistence, July 17 to 26, 1929, 10 days	100.00
Travel pay, July 30 to 31, 1929, New York to Memphis, Tenn.	55.00
Subsistence, July 27 to 31, 1929, 5 days	50.00
Travel pay, Aug. 5 to 6, 1929, Memphis, Tenn., to New York; Aug. 9 to 10, 1929, New York to Memphis, Tenn.	110.00
Subsistence, Aug. 5 to 10, 1929; 6 days	60.00

Harry B. Anderson—Continued.

Travel pay, June 26 to 30, 1931, Memphis, Tenn., to New York	\$55.00
Subsistence, June 26 to 30, 1931, 5 days	50.00
Subsistence, July 1 to 3, 1931, 3 days	30.00
Subsistence, July 4 to 17, 1931, 14 days	140.00
Travel pay, Aug. 1 to 3, 1931, New York to Memphis, Tenn.	55.00
Subsistence, July 18, to Aug. 3, 1931, 17 days	170.00
Travel pay, Aug. 15 to 17, 1931, Memphis, Tenn., to New York	55.00
Subsistence, Aug. 16 to Sept. 4, 1931, 20 days	200.00
Travel pay, Sept. 30 to Oct. 2, 1931, New York to Memphis, Tenn.	56.00
Subsistence, Sept. 5 to Oct. 1, 1931, 27 days	270.00

\$2,011.00

Charles A. Boynton, district judge, El Paso, Tex.:

Travel pay, Aug. 1, 1929, El Paso, Tex., to New York City	114.64
Subsistence, Aug. 1 to 8, 1929, 8 days	66.00
Subsistence, Aug. 9 to 23, 1929, 15 days	150.00
Travel pay, Sept. 4 to 6, 1929, New York to San Antonio, Tex.	92.11
Subsistence, Aug. 24 to Sept. 6, 1929, 14 days	140.00

562.75

Warren B. Burrows, district judge, Hartford, Conn.:

Travel pay, Dec. 2, 9, and 16, 1928, New London, Conn., to New York City; Dec. 7, 14, and 21, 1928, New York City to New London, Conn.	41.43
Subsistence, Dec. 3 to 7, Dec. 10 to 14, 1928, and Dec. 17 to 21, 1928, 15 days	150.00
Travel pay, Feb. 23, Mar. 2, 9, and 17, 1930, New London, Conn., to New York City; Feb. 28, Mar. 7, 14, and 21, 1930, New York City to New London, Conn.	59.50
Subsistence, Feb. 24 to 28, Mar. 3 to 7, Mar. 10 to 14, and Mar. 18 to 21, 1930, 19 days	190.00
Travel pay, Aug. 17, 1930, New London, Conn., to New York City; Aug. 22, 1930, New York City to New London, Conn.	14.90
Subsistence, Aug. 18 to 22, 1930, 5 days	50.00

505.83

Frederick H. Bryant, district judge, Utica, N. Y.:

Travel pay, Apr. 6, 1929, Syracuse, N. Y., to New York City; Apr. 7, 1929, New York City to Syracuse, N. Y.	27.83
Subsistence, Apr. 6 to 7, 1929, 1 day	10.00
Travel pay, May 5, 1929, Malone, N. Y., to New York City; May 7, 1929, New York City to Malone, N. Y.	36.95
Subsistence, May 5 to 7, 1929, 3 days	12.00
Travel pay, Dec. 1, 1929, Malone, N. Y., to New York City; Dec. 13, 1929, New York City to Malone, N. Y.	37.61
Subsistence, Dec. 1 to 13, 1929, 12 days	120.00
Travel pay, Feb. 15 to 16, 1930, Malone, N. Y., to New York City; Feb. 28, 1930, New York City to Malone, N. Y.	37.07
Subsistence, Feb. 16 to Mar. 1, 1930, 13 days	125.00
Travel pay, Jan. 23, 1931, Utica, N. Y., to New York City; Jan. 24, 1931, New York City to Utica, N. Y.	36.12
Subsistence, Jan. 23 to 24, 1931, 2 days	20.00
Travel pay, Feb. 3, 1931, Malone, N. Y., to New York City; Feb. 26, 1931, New York City to Malone, N. Y.	37.82
Subsistence, Feb. 4 to 26, 1931, 22 days	220.00

720.40

Frank Cooper, district judge, Albany, N. Y.:

Travel pay, Apr. 6, 13, and 27, 1930, Albany, N. Y., to New York City; Apr. 10, 25, and 30, 1930, New York City to Albany, N. Y.; Apr. 21, 1930, New York City to Utica, N. Y.; Apr. 22, 1930, Utica, N. Y., to New York City	72.31
Subsistence, Apr. 6 to 13; Apr. 14 to 22; Apr. 25 and 27 to 30, 1930, 22 days	220.00
Travel pay, May 25, 1930, Albany, N. Y., to New York City; May 28, 1930, New York City to Albany, N. Y.	16.52
Subsistence, May 25 to 28, 1930, 4 days	40.00

848.83

Clarence C. Galston, district judge, Brooklyn, N. Y.:

Subsistence, July 21 to 25, 1930, 5 days	50.00
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50.00

W. I. Grubb, district judge, Birmingham, Ala.:

Travel pay, Sept. 29 to 30, 1929, New York to Huntsville, Ala.	\$44.43
Subsistence, Sept. 7 to 29, 1929; 23 days	230.00
Travel pay, June 28 to 29, 1930, New York City to Birmingham, Ala., via Washington, D. C.	47.95
Subsistence, June 15 to 27, 1930, 13 days	130.00

\$452.38

Carroll C. Hincks, district judge, Cheshire, Conn.:

Travel pay, Jan. 24, 1931, Cheshire, Conn., to New York City; Jan. 24, 1931, New York City to Cheshire, Conn.	7.62
Subsistence, Jan. 24, 1931, 1 day	10.00

17.62

Edwin R. Holmes, district judge, Jackson, Miss.:

Travel pay, June 13, 14, and 15, 1929, Jackson, Miss., to New York City	62.85
Subsistence, June 13 to 30, 1929, 18 days	180.00
Travel pay, July 12 to 14, 1929, New York City to Jackson, Miss.	62.85
Subsistence, July 1 to 14, 1929, 14 days	140.00

445.70

Richard J. Hopkins, district judge, Wichita, Kans.:

Travel pay, July 4 to 8, 1931, Kansas City, Mo., to New York City	63.60
Subsistence, July 8 to 23, 1931, 16 days	160.00
Subsistence, July 24 to Aug. 3, 1931, 11 days	110.00
Travel pay, Aug. 18 to 19, 1931, New York City to Kansas City, Kans.	65.00
Subsistence, Aug. 4 to 19, 1931, 16 days	160.00

558.60

Harland B. Howe, district judge, Burlington, Vt.:

Travel pay, Jan. 17 to 18, 1929, Burlington, Vt., to New York City; Jan. 20 to 21, 1929, New York City to Burlington, Vt.	33.54
Subsistence, Jan. 17 to 21, 1929, 2 days	20.00
Travel pay, Feb. 2 to 3, 1929, Burlington, Vt., to New York City	17.78
Subsistence, Feb. 3 to 11, 1929, 9 days	90.00
Subsistence, Feb. 12 to 17, 1929, 6 days	60.00
Travel pay, Feb. 20, 1929, New York City to Burlington, Vt.	15.79
Subsistence, Feb. 18 to 20, 1929, 3 days	30.00
Travel pay, Mar. 16 to 17, 1929, Burlington, Vt., to New York City	18.28
Subsistence, Mar. 17 to 28, 1929, 12 days	120.00
Travel pay, Mar. 30, 1929, New York City to Burlington, Vt.	17.46
Subsistence, Mar. 29 to 30, 1929, 2 days	20.00
Travel pay, Apr. 13 to 14, 1929, Burlington, Vt., to New York City	18.38
Subsistence, Apr. 14 to 25, 1929, 12 days	120.00
Travel pay, Apr. 27 to 28, 1929, New York City to Burlington, Vt.	18.48
Subsistence, Apr. 26 to 27, 1929, 2 days	20.00
Travel pay, May 1, 1930, Brattleboro, Vt., to New York City; May 4, 1930, New York City to Burlington, Vt.	25.07
Subsistence, May 1 to 4, 1930, 4 days	40.00
Travel pay, June 15 to 16, 1931, New York City to Burlington, Vt.	16.77
Subsistence, June 15, 1931, 1 day	10.00
Subsistence, June 6 to 14, 1931, 9 days	90.00
Travel pay, May 22 to 23, 1931, Burlington, Vt., to New York City	16.37
Subsistence, May 23 to June 5, 1931, 14 days	140.00

957.92

J. C. Hutcheson, Jr., district judge, Houston, Tex.:

Travel pay, Houston, Tex., to New York City	79.99
Subsistence, Aug. 17 to 19 and Sept. 9 to 30, 1929, 24 days	240.00
Travel pay, Oct. 18 to 19, 1929, New York City to Houston, Tex.	79.42
Subsistence, Oct. 1 to 5, 1929, 5 days	50.00

449.41

Albert W. Johnson, district judge, Lewisburg, Pa.:

Travel pay, Feb. 3, 1930, Lewisburg, Pa., to New York City; Feb. 7, 1930, New York City to Lewisburg, Pa.	27.12
Subsistence, Feb. 3 to 6, 1930, 4 days	40.00
Travel pay, Apr. 17, 1930, Lewisburg, Pa., to New York City; Apr. 19, 1930, New York City to Lewisburg, Pa.	28.92
Subsistence, Apr. 17 to 19, 1931, 3 days	30.00

Albert W. Johnson—Continued.

Travel pay, Apr. 5, 1931, Lewisburg, Pa.,
to New York City; Apr. 11, 1931, New
York City to Lewisburg, Pa.----- \$27.27
Subsistence, Apr. 5 to 11, 1931, 7 days----- 70.00

\$223.31

T. Blake Kennedy, district judge, Cheyenne,
Wyo.:

Travel pay, Sept. 6, 1929, Cheyenne, Wyo.,
to New York City----- 92.00
Subsistence, Sept. 6 to 30, 1929, 25 days----- 250.00
Travel pay, Oct. 6, 1929, New York City to
Cheyenne, Wyo.----- 92.00
Subsistence, Oct. 1 to 8, 1929, 8 days----- 80.00
Travel pay, Aug. 30, 1930, Cheyenne, Wyo.,
to New York City----- 98.77
Subsistence, Aug. 30 to Sept. 30, 1930, 32
days----- 320.00
Travel pay, Oct. 2, 1930, New York City to
Cheyenne, Wyo.----- 98.77
Subsistence, Oct. 1 to 4, 1930, 4 days----- 40.00
Travel pay, Sept. 5, 1931, Cheyenne, Wyo.,
to New York City----- 98.25
Subsistence, Sept. 5 to 30, 1931, 26 days----- 260.00

1,429.79

Ira Lloyd Letts, district judge, Providence,
R. I.:

Travel pay, Feb. 17 and Feb. 25, 1929,
Providence, R. I., to New York City;
Feb. 21 and Mar. 2, 1929, New York City
to Providence, R. I.----- 36.00
Subsistence, Feb. 17 to 21 and Feb. 25 to
Mar. 2, 1929, 11 days----- 110.00

146.00

John E. Martineau, district judge, Little Rock,
Ark.:

Travel pay, Aug. 12, 1931, Little Rock,
Ark., to New York City; Sept. 21, 1931,
New York City to Little Rock, Ark.----- 132.36
Subsistence, Aug. 12 to Sept. 23, 1931, 43
days----- 430.00

562.36

Paul J. McCormick, district judge, Los An-
geles, Calif.:

Travel pay, Sept. 6, 1929, Washington,
D. C., to New York City; paid by Na-
tional Commission on Law Observance
and Enforcement; subsistence, Sept. 8 to
30, 1929, 23 days----- 230.00
Subsistence, Oct. 1 to 31, 1929, except
from Oct. 13 to 17, 1929, 26 days----- 260.00
Travel pay, Dec. 2, 1929, New York City to
Los Angeles, Calif.----- 182.40
Subsistence, Nov. 1 to Dec. 2, 1929, 32
days----- 320.00
Travel pay, Sept. 25, 1930, Los Angeles,
Calif., to New York City----- 191.03
Subsistence, Sept. 25 to 30, 1930, 5 days----- 50.00
Subsistence, Oct. 1 to 6, 1930, and Oct.
19 to Nov. 3, 1930, 17 days----- 170.00
Travel pay, Dec. 25, 1930, Washington,
D. C., to New York City; Dec. 26, 1930,
New York City to Washington, D. C.----- 20.04
Subsistence, Dec. 25 to 26, 1930, 2 days----- 20.00

1,443.47

I. M. Meekins, district judge, Elizabeth City,
N. C.:

Travel pay, July 8, 1929, Elizabeth City,
N. C., to New York City; July 10 to 11,
1929, New York City to Elizabeth City,
N. C.----- 42.00
Subsistence, July 8 to 11, 1929, 4 days----- 40.00
Travel pay, Feb. 3, 1930, Elizabeth City,
N. C., to New York City; Feb. 7, 1930,
New York City to Elizabeth City, N. C.----- 42.00
Travel pay, Feb. 9, 1930, Elizabeth City,
N. C., to New York City; Feb. 23, 1930,
New York City to Elizabeth City, N. C.----- 42.00
Subsistence, Feb. 3, 1930, to Mar. 1, 1930,
28 days----- 280.00
Travel pay, Mar. 30, 1930, Elizabeth City,
N. C., to New York City----- 20.72
Subsistence, Mar. 30 to 31, 1930, 2 days----- 20.00
Travel pay, Apr. 1, 1930, New York City to
Elizabeth City, N. C.----- 20.72
Subsistence, Apr. 1 to 2, 1930, 2 days----- 20.00
Travel pay, June 25 to 26, 1930, Elizabeth
City, N. C., to New York City; June 27
to 28, 1930, New York City to Eliza-
beth City, N. C.----- 42.19
Subsistence, June 25 to 28, 1930, 4 days----- 40.00
Travel pay, Oct. 2 to 3, 1930, Elizabeth
City, N. C., to New York City; Oct. 3 to
4, 1930, New York City to Elizabeth
City, N. C.----- 42.10
Subsistence, Oct. 2 to 4, 1930, 3 days----- 30.00

681.73

Robert R. Nevin, district judge, Dayton, Ohio:

Travel pay, Sept. 8 to 9, 1931, Dayton,
Ohio, to New York City; Sept. 30, 1931,
and Oct. 1, 1931, New York City to Day-
ton, Ohio----- \$61.86
Subsistence, Sept. 8 to Oct. 1, 1931, 24
days----- 238.50

\$300.36

Halsted L. Ritter, district judge, Miami, Fla.:

Travel pay, Aug. 31, 1931, Miami, Fla., to
New York City; Sept. 25, 1931, New
York City to Miami, Fla.----- 135.20
Subsistence, Aug. 31 to Sept. 27, 1931,
28 days----- 280.00
Subsistence, Sept. 29, 1931, 1 day----- 10.00

425.20

A. F. St. Sure, district judge, San Francisco,
Calif.:

Travel pay, Sept. 24, 1930, San Francisco,
Calif., to New York City and return----- 305.93
Travel pay, Oct. 31, 1930, New York City
to San Francisco, Calif.----- 91.50
Subsistence, Oct. 1 to Nov. 5, 1930, 36
days----- 360.00

757.43

J. Foster Symes, district judge, Denver, Colo.:

Travel pay, Feb. 14, 1931, Denver, Colo.,
to New York City; Mar. 9, 1931, New
York City to Denver, Colo.----- 188.12
Subsistence, Feb. 14 to Mar. 11, 1931, 26
days----- 260.00

448.12

Edwin S. Thomas, district judge, Norwalk,
Conn.:

Travel pay, Jan. 20 and 31, 1929, Norwalk,
Conn., to New York City; Jan. 30 and
Feb. 9, 1929, New York City to Nor-
walk, Conn.----- 13.58
Subsistence, Jan. 20 to 29, 1929, and Feb.
1 to Feb. 9, 1929, 20 days----- 200.00
Travel pay, Apr. 7, 1929, Norwalk, Conn.,
to New York City; Apr. 20, 1929, New
York City to Norwalk, Conn.----- 7.76
Subsistence, Apr. 7 to 20, 1929, 14 days----- 140.00
Travel pay, Jan. 5, 1930, Norwalk, Conn.,
to New York City; Feb. 15, 1930, New
York City to Norwalk, Conn.----- 8.08
Subsistence, Jan. 5, to Feb. 15, 1930, 42
days----- 420.00
Travel pay, Feb. 27, 1930, Norwalk, Conn.,
to New York City; Feb. 28, 1930, New
York City to Norwalk, Conn.----- 5.58
Subsistence, Feb. 27 to 28, 1930, 2 days----- 20.00
Travel pay, Aug. 18, 1930, Norwalk, Conn.,
to New York City; Aug. 18, 1930, New
York City to Norwalk, Conn.----- 5.46
Subsistence, Aug. 18, 1930, 1 day----- 10.00
Travel pay, Jan. 24, 1931, Norwalk, Conn.,
to New York City; Jan. 24, 1931, New
York City to Norwalk, Conn.----- 5.18
Subsistence, Jan. 24, 1931, 1 day----- 10.00
Travel pay, Mar. 2, 9, and 16, 1931, Nor-
walk, Conn., to New York City; Mar. 5,
13, and 27, 1931, New York City to Nor-
walk, Conn.----- 16.68
Subsistence, Mar. 2 to 5, 1931, Mar. 9 to
13, 1931, and Mar. 16 to 27, 1931, 21
days----- 210.00
Travel pay, June 17, 1931, Norwalk, Conn.,
to New York City; June 18, 1931, New
York City to Norwalk, Conn.----- 5.96
Subsistence, June 17 to 18, 1931, 2 days----- 20.00

1,098.28

Julian W. Mack, circuit judge, Chicago, Ill.:

Subsistence, Jan. 1 to 4, 1929; Jan. 15 to
18, 1929; Jan. 24 to Feb. 9, 1929;
Feb. 18 to 24, 1929; and Feb. 26 to Mar.
31, 1929, 66 days----- 660.00
Subsistence, Apr. 1 to 6, 1929, and Apr. 9
to 30, 1929, 28 days----- 280.00
Subsistence, May 1 to 8, 1929; May 16 to
17, 1929; and May 27 to 31, 1929; 15 days----- 150.00
Subsistence, June 10, 12, 17, 21, and 25,
1929, 5 days----- 50.00

1,140.00

John R. Hazel, district judge, Buffalo, N. Y.:

Travel pay, Apr. 30, 1929, Buffalo, N. Y.,
to New York City; May 2, 1929, New
York City to Buffalo, N. Y.----- 39.69
Subsistence, Apr. 30 to May 2, 1929, 3
days----- 30.00
Travel pay, Jan. 23, 1931, Buffalo, N. Y.,
to New York City; Jan. 25, 1931, New
York City to Buffalo, N. Y.----- 40.44
Subsistence, Jan. 23 to 25, 1931, 3 days----- 30.00

140.13

Robert T. Ervin, district judge, Mobile, Ala.:

Travel pay, Sept. 1, 1929, Mobile, Ala., to New York City	\$57.35
Subsistence, Sept. 1 to 6, 1929, 6 days	60.00
Travel pay, Sept. 21 to 23, 1929, New York City to Mobile, Ala.	57.35
Subsistence, Sept. 7 to 23, 1929, 17 days	170.00
Travel pay, Aug. 22 to 23, 1931, Mobile, Ala., to New York City	57.35
Subsistence, Aug. 22 to Sept. 5, 1931, 15 days	150.00

\$552.05

Thomas W. Swan, circuit judge, New Haven, Conn.:

Subsistence Jan. 2 to 31, 1929, 25 days	250.00
Travel pay, Feb. 11, 1929, New York City to New Haven, Conn.; Feb. 13, 1929, New Haven, Conn., to New York City	6.72
Subsistence, Feb. 1 to 23, 1929, 22 days	220.00
Travel pay, Mar. 1, 1929, New York City to New Haven, Conn.; Mar. 4, 1929, New Haven, Conn., to New York City	10.08
Subsistence, Mar. 1 to 31, 1929, 24 days	240.00
Travel pay, Apr. 1, 22, and 29, 1929, New Haven, Conn., to New York City; Apr. 20 and 27, 1929, New York City to New Haven, Conn.	16.80
Subsistence, Apr. 1 to 30, 1929, 25 days	250.00
Travel pay, May 3, 10, 17, 24, and 31, 1929, New York City to New Haven, Conn.; May 6, 13, 20, and 27, 1929, New Haven, Conn., to New York City	30.24
Subsistence, May 1 to 31, 1929, 22 days	220.00
Travel pay, June 3 and 10, 1929, New Haven, Conn., to New York City; June 7 and 12, 1929, New York City to New Haven, Conn.	13.44
Subsistence, June 1 to 30, 1929, 8 days	80.00
Travel pay, July 1, 8, 15, and 22, 1929, New Haven, Conn., to New York City; July 3, 12, 19, and 26, 1929, New York City to New Haven, Conn.	26.88
Subsistence, July 1 to 31, 1929, 18 days	180.00
Travel pay, Aug. 8, 1929, New Haven, Conn., to New York City; Aug. 9, 1929, New York City to New Haven, Conn.	6.72
Subsistence, Aug. 1 to 31, 1929, 1 day	10.00
Travel pay, Oct. 7, 14, 21, and 28, 1929, New Haven, Conn., to New York City; Oct. 12, 18, and 25, 1929, New York City to New Haven, Conn.	23.52
Subsistence, Oct. 1 to 31, 1929, 19 days	190.00
Travel pay, Nov. 1, 9, 15, 22, and 27, 1929, New York City to New Haven, Conn.; Nov. 4, 11, 18, 25, and 30, 1929, New Haven, Conn., to New York City	33.60
Subsistence, Nov. 1 to 30, 1929, 20 days	200.00
Travel pay, Dec. 31, 1929, New York City to New Haven, Conn.	3.36
Subsistence, Dec. 1 to 31, 1929, 22 days	220.00
Travel pay, Jan. 2 and 11, 1930, New Haven, Conn., to New York City; Jan. 10, 1930, New York City to New Haven, Conn.	10.08
Subsistence, Jan. 1 to 31, 1930, 26 days	260.00
Travel pay, Feb. 10, 17, and 24, 1930, New Haven, Conn., to New York City; Feb. 7, 15, and 21, 1930, New York City to New Haven, Conn.	20.16
Subsistence, Feb. 1 to 28, 1930, 21 days	210.00
Travel pay, Mar. 23, 1930, New York City to New Haven, Conn.; Mar. 31, 1930, New Haven, Conn., to New York City	6.72
Subsistence, Mar. 1 to 31, 1930, 24 days	240.00
Travel pay, Apr. 11, 18, and 25, 1930, New York City to New Haven, Conn.; Apr. 14, 21, and 28, 1930, New Haven, Conn., to New York City	20.16
Subsistence, Apr. 1 to 30, 1930, 23 days	230.00
Travel pay, May 2, 9, 16, 23, and 29, 1930, New York City to New Haven, Conn.; May 5, 12, 19, and 26, 1930, New Haven, Conn., to New York City	30.24
Subsistence, May 1 to 31, 1930, 21 days	210.00
Travel pay, June 3, 9, 23, and 30, 1930, New Haven, Conn., to New York City; June 6, 12, and 27, 1930, New York City to New Haven, Conn.	23.52
Subsistence, June 1 to 30, 1930, 14 days	140.00
Travel pay, Oct. 6, 14, 20, and 27, 1930, New Haven, Conn., to New York City; Oct. 10, 17, 24, and 31, 1930, New York City to New Haven, Conn.	26.88
Subsistence, Oct. 1 to 31, 1930, 19 days	190.00
Travel pay, Nov. 5, 10, 17, 24, and 28, 1930, New Haven, Conn., to New York City; Nov. 7, 15, 21, and 26, 1930, New York City to New Haven, Conn.	30.24

Thomas W. Swan—Continued.

Subsistence, Nov. 1 to 30, 1930, 19 days	\$190.000
Travel pay, Dec. 12 to 23, 1930, New York City to New Haven, Conn.; Dec. 15 to 27, 1930, New Haven, Conn., to New York City	13.44
Subsistence, Dec. 1 to 31, 1930, 23 days	230.00
Travel pay, Jan. 9, 1931, New York City to New Haven, Conn.; Jan. 12, 1931, New Haven, Conn., to New York City	6.72
Subsistence, Jan. 1 to 31, 1931; 25 days	250.00
Travel pay, Feb. 20, 1931, New York City to New Haven, Conn.; Feb. 23, 1931, New Haven, Conn., to New York City	6.72
Subsistence, Feb. 1 to 28, 1931, 12 days	120.00
Travel pay, Mar. 26, 1931, New York City to New Haven, Conn.; Mar. 30, 1931, New Haven, Conn., to New York City	6.72
Subsistence, Mar. 1 to 31, 1931; 24 days	240.00
Travel pay, June 1, 8, 22, and 29, 1931, New Haven, Conn., to New York City; June 5, 12, and 25, 1931, New York City to New Haven, Conn.	23.52
Subsistence, June 1 to 30, 1931, 16 days	160.00
Travel pay, May 1, 8, 15, 22, and 29, 1931, New York City to New Haven, Conn.; May 4, 11, 18, and 25, 1931, New Haven, Conn., to New York City	30.24
Subsistence, May 1 to 31, 1931, 21 days	210.00
Travel pay, Apr. 13, 20, and 27, 1931, New Haven, Conn., to New York City; Apr. 10, 17, and 25, 1931, New York City to New Haven, Conn.	20.16
Subsistence, Apr. 1 to 30, 1931, 22 days	220.00
Travel pay, July 3, 10, 17, and 23, 1931, New York City to New Haven, Conn.; July 6, 13, and 20, 1931, New Haven, Conn., to New York City	23.52
Subsistence, July 1 to 31, 1931, 17 days	170.00

\$5,806.40

Harrie B. Chase, circuit judge, Brattleboro, Vt.:

Travel pay, Feb. 12, 1929, Brattleboro, Vt., to New York City; Feb. 21, 1929, New York City to Brattleboro, Vt.	17.34
Subsistence, Feb. 12 to 21, 1929, 10 days	100.00
Travel pay, Mar. 3, 1929, Brattleboro, Vt., to New York City; Mar. 15, 1929, New York City to Brattleboro, Vt.	19.44
Subsistence, Mar. 3 to 15, 1929, 12 days	120.00
Travel pay, Apr. 7, 1929, Brattleboro, Vt., to New York City; Apr. 18, 1929, New York City to Brattleboro, Vt.	20.34
Subsistence, Apr. 7 to 18, 1929, 12 days	120.00
Travel pay, May 7, 1929, Brattleboro, Vt., to New York City; May 9, 1929, New York City to Brattleboro, Vt.	20.09
Subsistence, May 7 to 9, 1929, 3 days	30.00
Travel pay, May 19, 1929, Brattleboro, Vt., to New York City; May 29 and 30, 1929, New York City to Brattleboro, Vt.	21.19
Subsistence, May 19 to 30, 1929, 12 days	120.00
Travel pay, Sept. 3, 1929, Brattleboro, Vt., to New York City; Sept. 4, 1929, New York City to Brattleboro, Vt.	21.09
Subsistence, Sept. 3-4, 1929, 2 days	20.00
Travel pay, Oct. 13, 1929, Brattleboro, Vt., to New York City; Oct. 24, 1929, New York City to Brattleboro, Vt.	20.34
Subsistence, Oct. 13 to 24, 1929, 12 days	120.00
Travel pay, Oct. 28, 1929, Brattleboro, Vt., to New York City; Oct. 29, 1929, New York City to Brattleboro, Vt.	22.44
Subsistence, Oct. 28-29, 1929, 2 days	20.00
Travel pay, Nov. 3, 1929, Brattleboro, Vt., to New York City; Nov. 21, 1929, New York City to Brattleboro, Vt.	21.94
Subsistence, Nov. 3 to 21, 1929, 19 days	190.00
Travel pay, Dec. 8, 1929, Brattleboro, Vt., to New York City; Dec. 19, 1929, New York City to Brattleboro, Vt.	19.84
Subsistence, Dec. 8 to 19, 1929, 12 days	120.00
Travel pay, Jan. 12, 1930, Brattleboro, Vt., to New York City; Jan. 24, 1930, New York City to Brattleboro, Vt.	21.05
Subsistence, Jan. 12 to 24, 1930, 13 days	130.00
Travel pay, Jan. 26, 1930, Brattleboro, Vt., to New York City; Jan. 31, 1930, New York City to Brattleboro, Vt.	22.44
Subsistence, Jan. 26 to 31, 1930, 6 days	60.00
Travel pay, Feb. 16, 1930, Brattleboro, Vt., to New York City; Feb. 21, 1930, New York City to Brattleboro, Vt.	22.97
Subsistence, Feb. 16 to 21, 1930, 6 days	60.00
Travel pay, Feb. 23, 1930, Brattleboro, Vt., to New York City; Feb. 27, 1930, New York City to Brattleboro, Vt.	21.07

Harrie B. Chase—Continued.

Subsistence, Feb. 23 to 27, 1930, 5 days...	\$50.00
Travel pay, Mar. 2, 1930, Brattleboro, Vt., to New York City; Mar. 9, 1930, New York City to Brattleboro, Vt.....	19.92
Subsistence, Mar. 2 to 9, 1930, 8 days.....	80.00
Travel pay, Mar. 13, 1930, Brattleboro, Vt., to New York City; Mar. 15, 1930, New York City to Brattleboro, Vt.....	22.94
Subsistence, Mar. 13 to 15, 1930, 3 days.....	30.00
Travel pay, Apr. 6, 1930, Brattleboro, Vt., to New York City; Apr. 16, 1930, New York City to Brattleboro, Vt.....	21.07
Subsistence, Apr. 6 to 11 and 14 to 16, 1930, 9 days.....	90.00
Travel pay, Apr. 20, 1930, Brattleboro, Vt., to New York City; Apr. 25, 1930, New York City to Brattleboro, Vt.....	20.90
Subsistence, Apr. 20 to 25, 1930, 6 days.....	60.00
Travel pay, May 1, 1930, Brattleboro, Vt., to New York City; May 3, 1930, New York City to Brattleboro, Vt.....	22.45
Subsistence, May 1 to 3, 1930, 3 days.....	30.00
Travel pay, May 11, 1930, Brattleboro, Vt., to New York City; May 22, 1930, New York City to Brattleboro, Vt.....	22.19
Subsistence, May 11 to 22, 1930, 12 days.....	120.00
Travel pay, June 1, 1930, Brattleboro, Vt., to New York City; June 6, 1930, New York City to Brattleboro, Vt.....	22.94
Subsistence, June 1 to 6, 1930, 6 days.....	60.00
Travel pay, June 10, 1930, Brattleboro, Vt., to New York City; June 13, 1930, New York City to Brattleboro, Vt.....	21.96
Subsistence, June 10 to 13, 1930, 4 days.....	40.00
Travel pay, Oct. 12, 1930, Brattleboro, Vt., to New York City; Oct. 17, 1930, New York City to Brattleboro, Vt.....	22.42
Subsistence, Oct. 12 to 17, 1930, 6 days.....	60.00
Travel pay, Nov. 2, 1930, Brattleboro, Vt., to New York City; Nov. 7, 1930, New York City to Brattleboro, Vt.....	21.52
Subsistence, Nov. 2 to 7, 1930, 6 days.....	60.00
Travel pay, Oct. 20, 1930, Brattleboro, Vt., to New York City; Oct. 23, 1930, New York City to Brattleboro, Vt.....	20.72
Subsistence, Oct. 20 to 23, 1930, 4 days.....	40.00
Travel pay, Nov. 9, 1930, Brattleboro, Vt., to New York City; Nov. 14, 1930, New York City to Brattleboro, Vt.....	21.92
Subsistence, Nov. 9 to 14, 1930, 6 days.....	60.00
Travel pay, Nov. 19, 1930, Brattleboro, Vt., to New York City; Nov. 21, 1930, New York City to Brattleboro, Vt.....	19.84
Subsistence, Nov. 19 to 21, 1930, 3 days.....	30.00
Travel pay, Nov. 30, 1930, Brattleboro, Vt., to New York City; Dec. 6, 1930, New York City to Brattleboro, Vt.....	22.42
Subsistence, Nov. 30 to Dec. 6, 1930, 7 days.....	70.00
Travel pay, Dec. 7, 1930, Brattleboro, Vt., to New York City; Dec. 13, 1930, New York City to Brattleboro, Vt.....	19.82
Subsistence, Dec. 7 to 13, 1930, 7 days.....	70.00
Travel pay, Dec. 15, 1930, Brattleboro, Vt., to New York City; Dec. 17, 1930, New York City to Brattleboro, Vt.....	24.04
Subsistence, Dec. 15 to 17, 1930, 3 days.....	30.00
Travel pay, Jan. 11, 1931, Brattleboro, Vt., to New York City; Jan. 17, 1931, New York City to Brattleboro, Vt.....	22.94
Subsistence, Jan. 11 to 17, 1931, 7 days.....	70.00
Travel pay, Jan. 4, 1931, Brattleboro, Vt., to New York City; Jan. 10, 1931, New York City to Brattleboro, Vt.....	22.94
Subsistence, Jan. 4 to 10, 1931, 7 days.....	70.00
Travel pay, Jan. 20, 1931, Brattleboro, Vt., to New York City; Jan. 22, 1931, New York City to Brattleboro, Vt.....	23.49
Subsistence, Jan. 20 to 22, 1931, 3 days.....	30.00
Travel pay, Feb. 1, 1931, Brattleboro, Vt., to New York City; Feb. 7, 1931, New York City to Brattleboro, Vt.....	19.32
Subsistence, Feb. 1 to 7, 1931, 7 days.....	70.00
Travel pay, Feb. 8, 1931, Brattleboro, Vt., to New York City; Feb. 14, 1931, New York City to Brattleboro, Vt.....	22.44
Subsistence, Feb. 8 to 14, 1931, 7 days.....	70.00
Travel pay, Feb. 17, 1931, Brattleboro, Vt., to New York City; Feb. 19, 1931, New York City to Brattleboro, Vt.....	23.84
Subsistence, Feb. 17 to 19, 1931, 3 days.....	30.00
Travel pay, Mar. 8, 1931, Brattleboro, Vt., to New York City; Mar. 14, 1931, New York City to Brattleboro, Vt.....	22.44
Subsistence, Mar. 8 to 14, 1931, 7 days.....	70.00

Harrie B. Chase—Continued.

Travel pay, Mar. 17, 1931, Brattleboro, Vt., to New York City; Mar. 19, 1931, New York City to Brattleboro, Vt.....	\$23.04
Subsistence, Mar. 17 to 19, 1931, 3 days.....	30.00
Travel pay, May 17, 1931, Brattleboro, Vt., to New York City; May 23, 1931, New York City to Brattleboro, Vt.....	21.94
Subsistence, May 17 to 23, 1931, 7 days.....	70.00
Travel pay, June 28, 1931, Brattleboro, Vt., to New York City; June 30, 1931, New York City to Brattleboro, Vt.....	22.04
Subsistence, June 28 to 30, 1931, 3 days.....	30.00
Travel pay, June 7, 1931, Brattleboro, Vt., to New York City; June 11, 1931, New York City to Brattleboro, Vt.....	20.32
Subsistence, June 7 to 11, 1931, 5 days.....	50.00
Travel pay, May 31, 1931, Brattleboro, Vt., to New York City; June 5, 1931, New York City to Brattleboro, Vt.....	21.94
Subsistence, May 31 to June 5, 1931, 6 days.....	60.00
Travel pay, May 12, 1931, Brattleboro, Vt., to New York City; May 14, 1931, New York City to Brattleboro, Vt.....	22.04
Subsistence, May 12 to 14, 1931, 3 days.....	30.00
Travel pay, May 3, 1931, Brattleboro, Vt., to New York City; May 9, 1931, New York City to Brattleboro, Vt.....	21.94
Subsistence, May 3 to 9, 1931, 7 days.....	70.00
Travel pay, Apr. 28, 1931, Brattleboro, Vt., to New York City; Apr. 30, 1931, New York City to Brattleboro, Vt.....	22.04
Subsistence, Apr. 28 to 30, 1931, 3 days.....	30.00
Travel pay, Apr. 19, 1931, Brattleboro, Vt., to New York City; Apr. 25, 1931, New York City to Brattleboro, Vt.....	24.79
Subsistence, Apr. 19 to 25, 1931, 7 days.....	70.00
Travel pay, Apr. 14, 1931, Brattleboro, Vt., to New York City; Apr. 16, 1931, New York City to Brattleboro, Vt.....	22.04
Subsistence, Apr. 14 to 16, 1931, 3 days.....	30.00
Travel pay, Apr. 5, 1931, Brattleboro, Vt., to New York City; Apr. 11, 1931, New York City to Brattleboro, Vt.....	21.94
Subsistence, Apr. 5 to 11, 1931, 7 days.....	70.00
Travel pay, July 6, 1931, Brattleboro, Vt., to New York City; July 8, 1931, New York City to Brattleboro, Vt.....	23.04
Subsistence, July 6 to 8, 1931, 3 days.....	30.00
	\$4,233.17
Total	27,025.28

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table, the House bill was laid on the table, and the title was amended.

ALTERNATE JURORS IN CERTAIN CRIMINAL CASES

The Clerk read the next bill on the Consent Calendar, H. R. 10587, to provide for alternate jurors in certain criminal cases.

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object, at the last call of the calendar this bill at my suggestion was passed over without prejudice. It involves a new policy in Federal procedure. In fact, I might say that I do not recall that this policy has ever been adopted before in State court procedure.

Since that time I have given more than passing consideration to the question whether it is constitutional to have a trial in a criminal case by a number less than 12 jurors. That question was settled for all time two years ago, on April 14, 1930, in the case of Patten against the United States in Two hundred and eighty-first United States Reports, page 727, where the court firmly held that where an accused in a trial waives the right to a trial by less than 12 jurors that that is not a violation of the constitutional privilege requiring a trial by jury.

The proposed bill seeks to create a new procedure in case a juror or jurors become ill during the trial by providing that there shall be substitute jurors impaneled to sit during the trial and fill a vacancy when it occurs.

I have no objection to the bill, but I suggest an amendment which I have thought out which recognizes the principle embodied in the decision in the case of Patten against United States, that the alternate-juror provision be adopted

only in case the accused through his counsel declines to waive in open court a trial by less than 12 in case 1 or 2 jurors become incapacitated during the trial. My amendment would follow the word "one" in line 6 of page 1 of the bill, and it would make the bill read in this way:

That whenever in the opinion of a judge of a court of the United States about to try a defendant against whom has been filed an indictment, the trial is likely to be a protracted one, and the accused through his counsel has declined in open court to waive a trial by less than 12 jurors, in the event that one and not more than two of the jurors should become incapacitated to serve, the court may cause an entry to that effect to be made upon the minutes of the court, etc.

I think that amendment would improve conditions, and it would be notice to the trial judge that it is the intention not to provide this alternate system unless the accused declines through his counsel to waive in open court a trial by less than 12, in case 1 and not more than 2 jurors should become incapacitated.

Mr. DICKSTEIN. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. DICKSTEIN. Is not the gentleman driving away from the basic principle of our jury system, when a gentleman of his school is willing to accept a change of this nature, because the case the gentleman cites applies only where a defendant himself agrees to a trial by less than 12 jurors? Now an attempt is made to substitute this, where if he refuses to consent the court can force two or three other men on the jury after the trial has taken place.

Mr. STAFFORD. It is the purpose of the committee proposal that in case there is likely to be a protracted trial, one or two alternate jurors shall be arranged for.

Mr. O'CONNOR. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. O'CONNOR. In connection with the gentleman's amendment, of course, I have little sympathy with the whole proposition, but if the amendment should be adopted, I suggest that the gentleman provide that the defendant shall personally in open court consent, and not through his counsel.

Mr. STAFFORD. I provide where the accused through his counsel has declined in open court to waive.

Mr. O'CONNOR. But our courts in New York have held that in this particular situation counsel can not bind the defendant. Many counsel are appointed, and have very little interest in the defendant. I suggest that the gentleman change his amendment so that the waiver must be made by the defendant personally in open court.

Mr. LA GUARDIA. In the presence of his counsel.

Mr. O'CONNOR. Yes.

Mr. DYER. Mr. Speaker, will the gentleman from Wisconsin yield?

Mr. STAFFORD. Yes. I am directing the attention of the House to a decision with which the gentleman from Missouri must be familiar, Patten against United States, where the principle is recognized that the accused can waive the right to a jury of 12 jurors and be tried by a less number. I am proposing as an amendment following the word "one" in line 6, on page 1, words to the effect that where the accused declines in open court to have a trial by less than 12, in the event 1 and not more than 2 of the jurors shall become incapacitated to serve, alternate jurors may then be used.

Mr. DYER. This bill is written upon the theory that there is no waiver.

Mr. STAFFORD. The idea is to call to the attention of the trial court that it is only to be adopted in case a waiver has been declined.

Mr. DYER. Mr. Speaker, I would not be willing to accept an amendment of that kind. If the gentleman insists, I suggest that the matter go over so that the chairman of the committee may have an opportunity to study the matter.

Mr. GAVAGAN. Mr. Speaker, I demand the regular order.

Mr. LA GUARDIA. There is going to be objection made to this bill anyway.

The SPEAKER. Is there objection?

Mr. GAVAGAN. I object.

JUVENILE OFFENDERS

The next business on the Consent Calendar was the bill (H. R. 10598) to provide for the transportation of certain juvenile offenders to States under the law of which they have committed offenses or are delinquent, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. EATON of Colorado. Mr. Speaker, I reserve the right to object, and I hope that I shall not be compelled to object. I submit that this bill is only half baked. It does not go far enough. Your offenders are divided into three classes, not into two. You put the age limit at 21. There are three classes, boys and girls who are not grown, and then those who are grown, and then the real criminal. We have our institutions that we call industrial schools, then we have our reformatories, and then our penitentiaries. I submit this remedy ought to be extended so as to cover all those who might be sent to local reformatories and not merely to the industrial schools. In our State, where much of this character of law has been written, we divide them into three classes, first the juvenile, ages 16 to 18; second, those who may be sent to a reformatory, say, up to the age of 25, and after that to the penitentiary.

Mr. LA GUARDIA. The purpose of this bill is to give the State of Colorado, for instance, which led in reform of juveniles in infancy, an opportunity to have charge of the delinquent. Where a State claims a juvenile delinquent, the Federal authorities will turn him over to the authorities of that State. For instance, under the automobile law, the State would claim the delinquent, and the Federal authorities would turn the delinquent over to the State authorities.

Mr. SUMNERS of Texas. I would like to call this to the gentleman's attention. This bill does not deal primarily with the question to which the gentleman from Colorado refers.

Mr. EATON of Colorado. I understand that; but let me give the gentleman my point.

Mr. SUMNERS of Texas. I have the gentleman's point in mind. Let me give the gentleman mine. This is merely a bill to return to the custody of the States, which deal with the question to which the gentleman has referred, and has nothing to do with establishing any policy of dealing with juvenile offenders. The Attorney General came before the Committee on the Judiciary and told us they are confronted with the necessity of dealing with over 2,000 children in the course of a year. This deals only with expenditures. That is the only thing that is dealt with here. Of course, I do not mean that the humanitarian and remedial phases are not involved, but the Attorney General said he thought, and we agreed, that it is better to pay the expense of returning these juvenile offenders to the States where the offenses are committed, and let those States deal with them through the agencies to which the gentleman refers.

Mr. LA GUARDIA. I think we can meet the gentleman's objection if we will bring up the age limit to suit conditions in his State.

Mr. EATON of Colorado. I do not mean conditions in my State alone. I mean conditions in connection with what are called juvenile offenders and other offenders. If this is to be a juvenile bill, let us keep it in the juvenile class. If it is not to be a juvenile bill, if it is to meet the situation which the gentleman has mentioned, then make a bill covering the class up to age 25 through the probationary period or period during which young men may be sent to a reformatory instead of a penitentiary.

Mr. SUMNERS of Texas. We are operating under unanimous consent. It is going to be a difficult task to get this bill or any bill passed. Will the gentleman not let this bill go without amendment and let us have a chance of getting it through?

Mr. EATON of Colorado. Will the gentleman not accept an amendment in line 7 to change the "21" to "25"?

Mr. SUMNERS of Texas. I am afraid of it.

Mr. DYER. The Attorney General has recommended it strongly.

The SPEAKER. Is there objection?

Mr. EATON of Colorado. Mr. Speaker, I object.

AMENDING SUITS IN ADMIRALTY ACT

The Clerk called the next bill on the Consent Calendar, H. R. 7238, to amend section 5 of the suits in admiralty act, approved March 9, 1920.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Reserving the right to object, this is a rather important bill. On yesterday I gave some consideration to it, but in view of the fact that the report did not cite the leading decision, which the report claims makes this bill necessary, I think the gentleman from Virginia should really make some explanation as to the real purport of that decision. This is an enabling act, extending certain rights which are now barred by a decision of the Supreme Court of the United States against what was understood to be the prevailing practice in the law courts prior to that decision.

Mr. MONTAGUE. I have the case to which the gentleman refers. I thought it was cited in the report. It is the case of Johnson against United States Shipping Board and Emergency Fleet Corporation, and so forth. There are two or three cases consolidated. It is reported in Two hundred and eighteenth United States Reports, page 320.

I will state to the gentleman that, from 1920, when the suits in admiralty act was enacted, down to 1930, when the decision which the gentleman has in mind was rendered by the Supreme Court, these suits could be brought in the Court of Claims, in the district courts, and the common-law courts, and under the Tucker Act. They were suits in personem for personal injuries, damages to property, or damages to cargo. Down to 1930 there were many of these cases which the courts that I have mentioned uniformly entertained jurisdiction of. This bill is to correct that, because in 1930, to the surprise of the bar of the country—and I do not say that with any disrespect—the Supreme Court held that this suits in admiralty act was exclusive of all other remedies, and thereby plaintiffs or complainants who were prosecuting their suits then pending were cut out of any remedy whatever.

Mr. STAFFORD. Will the gentleman yield?

Mr. MONTAGUE. I will.

Mr. STAFFORD. As I understand the enabling feature of the bill, it only seeks to grant the right to institute these suits in consonance with the decision of the Supreme Court, where suits had been instituted prior to the decision?

Mr. MONTAGUE. Yes.

Mr. STAFFORD. How many suits are in question and what is the general amount of the litigation?

Mr. MONTAGUE. The total amount of the litigation is thought to be about \$1,500,000.

Mr. STAFFORD. All those suits were pending at the time the Supreme Court rendered its decision?

Mr. MONTAGUE. They were.

Mr. STAFFORD. And this enabling legislation does not apply to any other suits?

Mr. MONTAGUE. None whatever.

Mr. STAFFORD. It will not revive any other suits whatsoever?

Mr. MONTAGUE. No; and the suits which were instituted prior to that time or which failed of prosecution are not included. This does not involve a burden upon the Treasury of the United States, I may also add.

Mr. STAFFORD. It does in the amount of one and one-half million dollars in the case of these other suits?

Mr. MONTAGUE. No. I would like to state that up to a few years after the operation of the Shipping Board and Emergency Fleet Corporation ships were undertaken, private insurance companies gave protection and indemnity for the losses or damages of the character of claims involved in the pending bill. In about a year or two thereafter the Shipping Board concluded that it could provide

such protection better privately or through cooperation than by private insurance or indemnity companies.

Mr. STAFFORD. As I read the report, the Shipping Board has a fund set aside to pay those claims?

Mr. MONTAGUE. It has a fund set aside to pay those claims—about \$4,000,000.

Mr. STAFFORD. Mr. Speaker, I withdraw the reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read as follows:

Be it enacted, etc., That the suits in admiralty act (41 Stat. 525; U. S. C., title 46, secs. 741-745), approved March 9, 1920, is amended to read as follows:

"Sec. 5. That suits as herein authorized may be brought only on causes of action arising since April 6, 1917: *Provided*, That suits based on causes of action arising prior to the taking effect of this act shall be brought within one year after this act goes into effect; and all other suits hereunder shall be brought within two years after the cause of action arises: *Provided further*, That the limitations in this section contained for the commencement of suits hereunder shall not bar any suit against the United States or the United States Shipping Board Merchant Fleet Corporation, formerly known as the United States Shipping Board Emergency Fleet Corporation, brought hereunder on or before December 31, 1932, if such suit is based upon a cause of action whereon a prior suit in admiralty or an action at law or an action under the Tucker Act of March 3, 1887 (24 Stat. 505; U. S. C., title 28, sec. 250, subd. 1), was commenced prior to January 6, 1930, and was or may hereafter be dismissed because not commenced within the time or in the manner prescribed in this act or otherwise not commenced or prosecuted in accordance with its provisions."

With the following committee amendment:

Page 2, after line 16, insert a colon and the following: "*Provided further*, That such prior suit must have been commenced within the statutory period of limitation for common-law causes, which obtained in the court in which such prior suit was brought: *Provided further*, That there shall not be revived hereby any suit at law, in admiralty, or under the Tucker Act heretofore or hereafter dismissed for lack of prosecution after filing of suit: *And provided further*, That no interest shall be allowed on any claim prior to the time when suit on such claim is brought as authorized hereunder."

Mr. MONTAGUE. Mr. Speaker, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment to the amendment offered by Mr. MONTAGUE: On page 2, line 16, after the words "*Provided further*," strike out the residue of line 16, and lines 17, 18, and 19 down to the colon, and insert:

"That such prior suit must have been commenced within the statutory period of limitation for common-law actions against the United States cognizable in the Court of Claims."

Mr. STAFFORD. Mr. Speaker, do I understand the gentleman's amendment leaves in the last proviso?

Mr. MONTAGUE. Yes. It only changes the second proviso and tries to make clearer and tighter the objection which is in the gentleman's mind, which I wish to preserve.

The amendment to the committee amendment was agreed to.

The SPEAKER. The question is on the committee amendment as amended.

The committee amendment as amended was agreed to.

Mr. BRIGGS. Mr. Speaker, I offer a clarifying amendment which is acceptable to the committee.

The Clerk read as follows:

Amendment offered by Mr. BRIGGS: Page 2, line 15, after the word "act" insert: "or where recovery was denied against the United States Shipping Board Emergency Fleet Corporation on the ground that it was acting as agent of the United States Shipping Board."

Mr. STAFFORD. Mr. Speaker, I make the point of order that the amendment is not germane. I make the further point of order no notice whatsoever was given at the time consent was granted that we were going to amplify the provisions of the bill. The gentleman's amendment enlarges the entire scope of the bill and seeks to bring in an amendment that was not considered when the consent stage was under consideration.

Mr. BRIGGS. Mr. Speaker, on the contrary, if the gentleman will pardon me, the committee felt this amendment

was right within the scope of the bill. In one case the Fleet Corporation was sued instead of the Shipping Board in a common-law action, and the Federal court held there was liability, but that the wrong party had been sued. The amendment simply provides that the right party may be sued. It was felt that such a proceeding is within the meaning of the bill, anyway, and is covered by the very terms of the bill.

Mr. STAFFORD. Mr. Speaker, I regret very much the gentleman has seen fit to press his amendment.

Mr. BRIGGS. Mr. Speaker, I do not see how a point of order can be made against the amendment. The bill itself is open to amendment.

Mr. DYER. Mr. Speaker, this is a very dangerous procedure under the consent rule. This bill is being considered under the unanimous-consent agreement and, outside of committee amendments that we had notice of, others ought not to be presented, because the committee has not had a chance to consider them.

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent to withdraw my objection and put the bill back to the objection stage if the gentleman is going to insist upon his amendment.

Mr. BRIGGS. Mr. Speaker, I may state to the gentleman that the matter has been submitted to the Judiciary Committee through the chairman of the subcommittee in charge of the bill, and he stated he had no objection to the amendment offered. The United States Shipping Board, through its chairman, studied the same proposal and stated it thought it was within the meaning of the bill and had no objection to offer. This amendment clarifies the pending bill.

Mr. DYER. Mr. Speaker, I will state to the gentleman from Texas I am not arguing against his amendment, but I have been a member of the Judiciary Committee 20 years and this matter was never called to my attention at any time.

The SPEAKER. The question is on the amendment offered by the gentleman from Texas [Mr. Briggs].

The amendment was rejected.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

AMENDMENT OF THE NATIONAL PROHIBITION ACT

The Clerk called the next bill, H. R. 258, to amend sections 22 and 39, title 2, of the national prohibition act.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LA GUARDIA, Mr. GOSS, Mr. STAFFORD, Mr. BACON, Mr. MILLARD, and Mr. DYER objected.

AMENDMENT OF SECTION 289 OF THE CRIMINAL CODE

The Clerk called the next bill, H. R. 10589, to amend section 289 of the Criminal Code.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LA GUARDIA. Mr. Speaker, reserving the right to object, in studying this bill after it left the committee, I noticed that the date is fixed as of January 1, 1932. It occurred to me that instead of that we might have to come back here within a few years if we provided at the time the act was committed or omitted.

Mr. SUMNERS of Texas. I raised that question in the committee, and the Attorney General said the difficulty was that they might confront the proposition that they were delegating to the several States the power to legislate for the Federal Government.

Mr. LA GUARDIA. I see the point of that objection.

Mr. O'CONNOR. Mr. Speaker, reserving the right to object, will the gentleman state briefly what this bill does?

Mr. SUMNERS of Texas. The bill seeks to make effective the laws of the States in territory with regard to which the Federal Government has exclusive jurisdiction. The plan which has been pursued heretofore has been that about every 10 years they bring in a bill making effective the laws which the legislatures of the several States have passed during the intervening 10 years. The reason why

we can not make provision that the laws as they are currently enacted shall become effective, under the explanation of the Attorney General, in response to my inquiry, is that they were afraid they would be up against the proposition of attempting to delegate to the several States the right to enact laws for the Federal Government. This is the plan that has been in operation for a long time.

Mr. EATON of Colorado. I would suggest that the bill be made to be concurrent from day to day and that those words be in the bill instead of January 1, 1932.

Mr. SUMNERS of Texas. I raised that question in the committee, and the Attorney General's explanation satisfied me that it would be dangerous to attempt to do that because we might have to confront the proposition that we were delegating to the States the power to legislate for the Federal Government. This is the plan that has been in operation for a long time.

Mr. EATON of Colorado. Is not this the plan under which all the trouble arises?

Mr. SUMNERS of Texas. No; it is not. It is the best we can do about it.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 289 of the Criminal Code (U. S. C., title 18, sec. 468) be, and it is hereby, amended to read as follows:

"Sec. 289. Whoever, within the territorial limits of any State, organized Territory, or District, but within or upon any of the places now existing or hereafter reserved or acquired, described in section 272 of the Criminal Code (U. S. C., title 18, sec. 451), shall do or omit the doing of any act or thing which is not made penal by any laws of Congress, but which if committed or omitted within the jurisdiction of the State, Territory, or District in which such place is situated, by the laws thereof in force on January 1, 1932, would be penal, shall be deemed guilty of a like offense and be subject to a like punishment; and every such State, Territorial, or District law shall, for the purposes of this section, continue in force, notwithstanding any subsequent repeal or amendment thereof by any such State, Territory, or District."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

FURTHER EXTENSION OF THE PAROLE LAWS

The Clerk called the next bill, H. R. 10599, to fix the date when sentence of imprisonment shall begin to run, providing when the allowance to a prisoner of time for good conduct shall begin to run, and further to extend the provisions of the parole laws.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. DICKSTEIN. Mr. Speaker, reserving the right to object, will the gentleman explain the purpose of this bill?

Mr. BROWNING. I will say to the gentleman from New York that the purpose of the bill, as outlined by the Attorney General, is to undertake to establish some orderly and uniform method by which sentences shall begin and end, and the further provision that the parole period shall last through the length of the term instead of being cut off by reason of good conduct.

Mr. DICKSTEIN. Does the gentleman want to take away the additional time allotted to a prisoner by the parole board?

Mr. BROWNING. This does not take away any of the time of the parole. It only provides a uniform system under which the time for serving sentences shall begin.

Mr. DICKSTEIN. Suppose a man has been waiting for trial for two or three months; he is then convicted and given a year. Would you count the time he has been in prison and could not get bail?

Mr. BROWNING. Under the bill he would not be permitted to receive any credit for the time he was awaiting trial.

Mr. DICKSTEIN. Does not the gentleman know that many of our courts are clogged with cases, so that prisoners are oftentimes compelled to wait two or three months for trial? We will assume there is then a conviction; but under this bill you would not give a prisoner any credit for that

time he spent in prison awaiting trial, through no fault of his own?

Mr. BROWNING. This bill would not permit them to get that time.

Mr. DICKSTEIN. Then, Mr. Speaker, I object.

PUNISHMENT OF CERTAIN CRIMES AGAINST THE UNITED STATES

The Clerk called the next bill, H. R. 10640, to provide for the punishment of certain crimes against the United States.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GILBERT. Mr. Speaker, reserving the right to object, there is a series of bills amending the criminal law and it is unusual to have such bills on the Consent Calendar. I would like to know what this bill provides.

Mr. SUMNERS of Texas. This bill proposes to punish guards and employees at the prisons who aid prisoners to escape. In a sentence, that is what it intends to do.

Mr. LA GUARDIA. It also vests a warden with authority to detail his employees in case of an emergency, so that an employee can not say, under the civil service law, "My time is up; I am going home and I will be back at 11 o'clock." It gives a warden an opportunity to meet such a condition.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That any person employed at any Federal penal or correctional institution as an officer or employee of the United States, who refuses or willfully and knowingly fails to perform any lawful duty of his office or employment in the prevention or suppression of any rebellion, insurrection, riot, or attempt to escape on the part of any prisoner or prisoners confined in such institution; or any such officer or employee or any other person who instigates, connives at, willfully attempts to cause, assists in, or who conspires with any other person or persons to cause any rebellion, insurrection, riot, or escape at such penal or correctional institution; or any such officer or employee or any other person who, without the knowledge or consent of the warden or superintendent of such institution, conveys or causes to be conveyed into such institution, or from place to place within such institution, or knowingly aids or assists therein, any tool, device, or substance designed to cut, abrade, or destroy the materials, or any part thereof, of which any building or buildings of such institution are constructed, or any other substance or thing designed to injure or destroy any building or buildings, or any part thereof, of such institution; or who conveys or causes to be conveyed into such institution, or from place to place within such institution, or aids or assists therein, or who conspires with any other person or persons to convey or cause to be conveyed into such institution, or from place to place within such institution, any firearm, weapon, explosive, or any lethal or poisonous gas, or any other substance or thing designed to kill, injure, or disable any officer, agent, employee, or inmate thereof, shall be punished by imprisonment for life or for any term of years, at the discretion of the court.

Sec. 2. All acts and parts of acts in conflict herewith are hereby repealed.

With the following committee amendment:

On page 1, line 7, strike out the words "rebellion, insurrection" and insert in lieu thereof the word "mutiny."

On page 2, line 1, strike out the words "rebellion, insurrection" and insert in lieu thereof the word "mutiny."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

MISUSE OF OFFICIAL BADGES

The Clerk called the next bill, H. R. 10590, to prohibit the misuse of official insignia.

Mr. EATON of Colorado. Mr. Speaker, reserving the right to object, I want to ask the proponent of the bill how the manufacturers of this insignia are going to be protected. As I read the bill, the manufacture or sale is prohibited, except as provided here.

Mr. SUMNERS of Texas. That will be done under some sort of permission.

Mr. STAFFORD. The language of the measure is "except when and as authorized under such regulations as may be prescribed by the head of the department."

Mr. SUMNERS of Texas. Yes; I thank the gentleman.

Mr. EATON of Colorado. How are the manufacturers who may have a stock of these badges on hand going to be protected?

Mr. SUMNERS of Texas. As it is now, anybody can go down here and get a policeman's badge or any other sort of badge indicating he is an officer of the Federal Government. The abuse has become so great that it is deemed necessary to have the manufacture of these badges, which are not articles of commerce in any ordinary sense, done under some sort of permission from those who are responsible.

Mr. LA GUARDIA. I think to answer the gentleman's question specifically, first, the regulations would prescribe that in consideration of the authority to sell and make these badges, the manufacturer would consent to sell badges only upon display of credentials by the superior of that department, and the manufacturer would keep a record of the sales. Then if any were sold without authority, such sale would come within the provisions of this measure.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That hereafter the manufacture, sale, or possession of any badge, identification card, or other insignia, of the design prescribed by the head of any department or independent office of the United States for use by any officer or subordinate thereof, or of any colorable imitation thereof, is prohibited, except when and as authorized under such regulations as may be prescribed by the head of the department or independent office of which such insignia indicates the wearer is an officer or subordinate.

Sec. 2. Any person who offends against the provisions of this act shall, upon conviction, be punished by a fine not exceeding \$250 or by imprisonment for not exceeding six months, or by both such fine and imprisonment.

With the following committee amendment:

Page 1, line 6, strike out the word "of" and insert the word "or."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

COMPETENCY OF TESTIMONY OF HUSBAND AND WIFE

The Clerk called the next bill, H. R. 10596, to amend an act entitled "An act to make persons charged with crimes and offenses competent witnesses in United States and Territorial courts," approved March 16, 1878, with respect to the competency of husband and wife to testify for or against each other.

Mr. GAVAGAN. Mr. Speaker, reserving the right to object, I would like to have an explanation from the committee as to the reasons for this proposed change.

Mr. McKEOWN. I will say to the gentleman from New York that there is so much confusion about the rule throughout the country that the Attorney General brought the matter to the attention of the committee, for the reason that injustice in some cases has been done where the defendant was the only witness and she could not be called. It is felt this restriction should not be permitted to do an injustice and that the wife ought to be permitted to be a witness if she wants to. She is not compelled to testify.

Mr. GRANFIELD. The wife is to be permitted to be a witness for or against her husband.

Mr. McKEOWN. For him, and the wife is not compelled to testify, and can not testify as to any confidential communication between them. It simply gives the law the same liberal application that all our modern courts are taking in the matter.

Mr. GAVAGAN. As I read the bill, the only amendment is, on page 2, lines 14 and 15, where you provide that failure to testify will not create any presumption against the defendant.

Mr. McKEOWN. The language of the bill will be that in any such trial or proceeding the husband or wife of the accused shall be competent but not compellable to testify for or against the other, but neither shall be competent to testify as to any confidential communication made by one to

the other during marriage. And the failure to testify shall not create any presumption against the defendant.

I think this is a very fair rule.

Mr. LA GUARDIA. And, of course, it is the purpose to adopt the committee amendment?

Mr. McKEOWN. Yes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act to make persons charged with crimes and offenses competent witnesses in United States and Territorial courts," approved March 16, 1878 (U. S. C., title 28, sec. 632), be, and the same is hereby, amended so as to read as follows:

"In the trial of all indictments, informations, complaints, and other proceedings against persons charged with the commission of crimes, offenses, and misdemeanors in the United States courts, Territorial courts, and courts-martial and courts of inquiry in any State or Territory, including the District of Columbia, the person so charged shall, at his own request but not otherwise, be a competent witness. And his failure to make such request shall not create any presumption against him. In any such trial or proceeding the husband or wife of the accused shall be competent but not compellable to testify for or against the other, but neither shall be competent to testify as to any confidential communication made by one to the other during marriage."

With the following committee amendment:

Page 2, line 13, strike out "marriage" and insert "marriage. And the failure to testify shall not create any presumption against the defendant."

The committee amendment was agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

AMENDING SECTION 122 OF THE JUDICIAL CODE

The Clerk read the next bill on the Consent Calendar, H. R. 10641, to amend section 122 of the Judicial Code.

The SPEAKER pro tempore (Mr. O'CONNOR). Is there objection?

Mr. GILBERT. Will the gentleman from Tennessee make a brief explanation of the bill?

Mr. BROWNING. The point is that the law provides that the senior circuit judge may preside in the absence of the chief justice of that court, but it does not provide for the senior circuit judge under like circumstances performing the ministerial duties that devolve on the presiding judge, and this authorization is asked so that the senior judge, in the absence of the presiding justice, shall have the privilege of performing the ministerial duties the same as the judge presiding over the court.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 122 of the Judicial Code (U. S. C., title 28, sec. 219) be, and the same is hereby, amended to read as follows:

"Sec. 122. Each circuit court of appeals shall prescribe the form and style of its seal, and the form of writs and other process and procedure as may be conformable to the exercise of its jurisdiction; and shall have power to establish all rules and regulations for the conduct of the business of the court within its jurisdiction as conferred by law. In case any senior circuit judge is disabled by illness from exercising any power given, or performing any duty imposed by law, such power or duty shall be exercised or performed by the other judges of that circuit in the order of the seniority of their respective commissions."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

AMENDING SECTION 35 OF THE CRIMINAL CODE OF THE UNITED STATES

The Clerk read the next bill on the Consent Calendar, H. R. 11084, to amend section 35 of the Criminal Code of the United States.

Mr. SUMNERS of Texas. Mr. Speaker, I ask unanimous consent that this bill go over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

AMENDING SECTION 1025 OF THE REVISED STATUTES

The Clerk read the next bill on the Consent Calendar, H. R. 10593, to amend section 1025 of the Revised Statutes of the United States.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Reserving the right to object, I was under the impression that the doings in the grand-jury room were sacred, and that even the clerk or the district attorney were not privileged to disclose what occurred therein.

Mr. LA GUARDIA. Mr. Speaker, I object.

THE VIRGIN ISLANDS

The Clerk read the next bill on the calendar, S. 418, to extend the admiralty laws of the United States of America to the Virgin Islands.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That there be, and is hereby, conferred upon the judicial tribunals of the Virgin Islands jurisdiction in admiralty which shall be the same as is exercised by the United States district courts, and the practice and procedure shall be the same as in the United States district courts and all cases coming within the admiralty jurisdiction of said tribunals shall be determined in accordance with the general admiralty laws of the United States of America.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

BRIDGE ACROSS THE RIO GRANDE AT BOCA CHICA, TEX.

The Clerk read the next bill on the Consent Calendar, H. R. 11246, authorizing the Boca Chica Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Rio Grande at Boca Chica, Tex.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Reserving the right to object, I believe the committee has by its amendment covered the objection set out by the Acting Secretary of State, that the bridge should be approved by the authorities of Mexico.

Mr. MILLIGAN. The State Department suggested such an amendment, and it has been incorporated in the bill.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in order to facilitate international commerce, improve the postal service, and provide for military and other purposes, the Boca Chica Bridge Co., its successors and assigns, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Rio Grande, so far as the United States has jurisdiction over the waters of such river, at a point suitable to the interests of navigation, at Boca Chica, Tex., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, subject to the conditions and limitations contained in this act and subject to the approval of the proper authorities in the Republic of Mexico.

SEC. 2. There is hereby conferred upon the Boca Chica Bridge Co., its successors and assigns, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property in the State of Texas needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State of Texas upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

SEC. 3. The said Boca Chica Bridge Co., its successors and assigns, is hereby authorized to fix and charge tolls for transit over such bridge in accordance with any laws of Texas applicable thereto, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

SEC. 4. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to Boca Chica Bridge Co., its successors and assigns; and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 5. The right to alter, amend, or repeal this act is hereby expressly reserved.

The following committee amendment was agreed to:

On page 2, line 6, after the word "approval," insert "of the International Boundary Commission, United States and Mexico, El Paso, Tex., and."

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

CONVEYANCE TO THE UNITED STATES OF CERTAIN LANDS IN ARIZONA

The next business on the Consent Calendar was the bill (H. R. 10926) to authorize conveyance to the United States of certain lands in the State of Arizona for use of the United States in maintaining air-navigation facilities, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GOSS. Mr. Speaker, I reserve the right to object. Has this to do with only new air lines?

Mr. CHAVEZ. The air lines are already in existence. It happens that the State of Arizona owns the land. This bill would convey that land to the Department of Commerce so that they could carry on air navigation and give the State of Arizona new land elsewhere.

Mr. GOSS. They have beacons over certain of those airways over that route to-day?

Mr. CHAVEZ. Yes.

Mr. GOSS. And they just want to add some more, or is this outside of the new lane?

Mr. CHAVEZ. It is in existence and has been in existence for two years.

Mr. GOSS. In connection with the conveyance of this land, I notice, if they decide not to give it up, they dispose of it under applicable law. The Secretary of the Interior is authorized to accept these certain parcels now?

Mr. CHAVEZ. Yes.

Mr. GOSS. If we decide we do not want that airway, we get rid of it back to the State of Arizona?

Mr. CHAVEZ. No; it would be under the control of the public domain subject to entry. Anyone could go and apply for the land.

Mr. GOSS. This has nothing to do with the new proposed lanes out there and the discontinuance of any other lanes?

Mr. CHAVEZ. No. It refers to those already in existence.

Mr. GOSS. How much money is involved?

Mr. CHAVEZ. No money is involved.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to accept on behalf of the United States title from the State of Arizona to all of section 18, township 22 north, range 8 west, and the northeast quarter of section 31, southeast quarter of the southeast quarter of section 30, and the west half of the northwest quarter of section 32, township 9 south, range 10 east, Gila and Salt River meridian, Arizona, and in exchange therefor may patent to the State of Arizona an approximately equal area of surveyed, unreserved, unappropriated, nonmineral public lands within the State.

The land to be acquired by the United States under this act shall be used by the Department of Commerce in maintaining air-navigation facilities. If at any time this land or any portion thereof should not be needed for such purpose the Secretary of the Interior shall, upon advice to that effect by the Secretary of Commerce, restore said land or such portion to the public domain for disposition under applicable law.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

MEDICAL WORK AMONG INDIANS OF FORT PECK INDIAN RESERVATION

The next business on the Consent Calendar was the bill (H. R. 10238) creating a reimbursable fund to be used for special medical and surgical work among the Indians of the Fort Peck Indian Reservation, Mont., and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GOSS. Mr. Speaker, I reserve the right to object in order to ask the gentleman from Montana why he insists on putting \$3,000 annually to defray in whole or in part

the cost? If we pass the bill in its present form, we take this out of the jurisdiction of the Congress; and, on the other hand, if we simply make an appropriation for the fiscal year, I would have no objection. I do not think it is wise for the Congress to let these matters slip from under its jurisdiction.

Mr. LEAVITT. Mr. Speaker, will the gentleman yield?

Mr. GOSS. Yes.

Mr. LEAVITT. The bill, as the gentleman will notice, was introduced by me in exactly the form the gentleman suggests, but the report made upon it carries the statement that the Director of the Budget has suggested that it be written in the form in which the committee has reported it. The change was made entirely at the suggestion of the Budget and the Commissioner of Indian Affairs. Of course, I would much rather have it in its original form than have it objected to.

Mr. GOSS. So would I; because if it passes in the form it is written in to-day, we will lose control over the matter, and it is an annual appropriation from now on.

Mr. LEAVITT. As I suggest, I would rather have it in that form than to have it objected to.

Mr. GOSS. I would not object to the bill in its original form, but it is the language that makes it an annual appropriation that takes it out of the jurisdiction of the Congress to which I object.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. GOSS. Yes.

Mr. STAFFORD. As I recall, the Commissioner of Indian Affairs pointed out that \$3,000 annually might not be necessary and that the tribal funds would not be able to afford that much expenditure each year, and there should be some discretion left in the commissioner to determine just how much money should be expended for medical services for use off the reservation. They have hospitalization on the reservation. There are 2,000 residing on the reservation and a few outside. I understand this appropriation is to take care of outside medical service not under direct Government employment.

Mr. LEAVITT. In addition to that, cases occasionally arise that must be taken to a larger and better-equipped hospital than the one on the reservation.

Mr. STAFFORD. Yes; and this would leave the change somewhat in the discretion of the Commissioner of Indian Affairs.

Mr. GOSS. If the gentleman would take the annual feature out of it, I would not object. I feel constrained to object otherwise.

Mr. LEAVITT. Under those circumstances I would have to take out the word "annually."

Mr. STAFFORD. Is that in the amendment?

Mr. GOSS. Yes; strike out the word "annually," so that it would come back next year. I would rather have the control of it in Congress. Otherwise it will take it out of our hands.

Mr. STAFFORD. It is still in the control of the Congress. The amount can be controlled by the Committee on Appropriations. This is an authorization that not more than \$3,000 may be utilized for this purpose.

Mr. GOSS. The gentleman knows that it will never come back.

Mr. STAFFORD. Oh, they have to come back year after year.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. I object to the provision on the condition suggested by the gentleman from Connecticut.

Mr. UNDERHILL. Mr. Speaker, I ask unanimous consent that the matter be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

Mr. LEAVITT. I object.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GOSS. Not in its present form.

The SPEAKER pro tempore. Is there objection?

Mr. GOSS. I object.

RENEWAL OF 5-YEAR GOVERNMENT INSURANCE

The Clerk called the next bill on the Consent Calendar, H. R. 8173, to provide for the renewal of 5-year level premium term Government insurance policies for an additional 5-year period without medical examination.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. UNDERHILL. Reserving the right to object, Mr. Speaker, will the gentleman in charge of the bill explain why it is necessary to extend for five years without medical examination the provision of the law?

Mr. COOPER of Tennessee. For the reason that the 5-year level premium term, under which these policies are now issued, is now expiring, and the veterans who are now in such physical condition as to be able to stand physical examination have their right under section 310 of the act, but veterans who can not stand that medical examination, unless this time is extended, will be deprived of this Government insurance.

Mr. UNDERHILL. Then if, within the last five years, a veteran, through some fault of his own, has contracted some disease or has suffered some injury, he can receive this insurance under this bill?

Mr. COOPER of Tennessee. I do not think that is exactly the point. In the act under which these 5-year level term policies were issued, it was provided that by the expiration of that period of time the veteran should convert his insurance to some other form of policy. That is, ordinary life, endowment, 20-year pay, or so on. All of these converted forms of insurance carry a higher premium rate. It simply means that during this period of depression and unemployment, these men are not able to pay the additional premium rates and unless this same type of policy is extended for them, they will probably have no insurance.

Mr. PETTENGILL. Will the gentleman yield?

Mr. COOPER of Tennessee. I yield.

Mr. PETTENGILL. Will the gentleman state what is the position of the Veterans' Administration on this matter?

Mr. COOPER of Tennessee. The Veterans' Administration has not recommended the passage of the bill, but as I understand it, their report amounts to very little more than simply to point out that this is not the most desirable type of insurance for the veterans to carry, which is known to all of us. The same reason obtains to-day for the extension of these policies as obtained when Congress passed the law authorizing the original issuance of the policies.

Mr. PETTENGILL. The Veterans' Administration does not recommend the bill, does it?

Mr. COOPER of Tennessee. No; for the reason indicated, which is principally from an insurance standpoint. The question relates principally to the type and form of policy.

Mr. EATON of Colorado. Will the gentleman yield?

Mr. COOPER of Tennessee. I yield.

Mr. EATON of Colorado. There is an entire class. I do not know how many there are.

Mr. COOPER of Tennessee. Ninety-seven thousand men are affected.

Mr. EATON of Colorado. But in the entire class there are several hundred thousand men whose insurance is being carried, and from an actuarial standpoint there will not be any loss if they are carried along, as far as ultimate payment is concerned?

Mr. COOPER of Tennessee. That is true.

Mr. EATON of Colorado. They are already in, and if they paid their money within the year they would be carried along in the same way?

Mr. COOPER of Tennessee. That is right.

Mr. STAFFORD. Will the gentleman yield?

Mr. COOPER of Tennessee. I yield.

Mr. STAFFORD. Does this apply to cases of default prior to January 1 of this year?

Mr. COOPER of Tennessee. The expiration date is five years from the time of the issuance of the policies. On January 1 the time expired on 600 of these policies.

Mr. STAFFORD. Does this revive any policies default on which occurred prior to January 1 of this year?

Mr. COOPER of Tennessee. The date January 1 this year does not necessarily enter into the consideration of this at all. It is a question of the 5-year period from the time the policy was taken.

Mr. STAFFORD. From reading the report I thought it was only to relieve those in default since January 1 of this year.

Mr. COOPER of Tennessee. That is true—that the time began to expire January 1 of this year for a certain number and on February 1 for a certain number, and so on.

Mr. STAFFORD. Suppose a war veteran was in default prior to January 1 of this year; would this law give him any rights of restoration, regardless of his condition?

Mr. COOPER of Tennessee. If he comes under the terms of this bill and has that particular type of policy he would be taken care of.

Mr. EATON of Colorado. Were there any policies in default prior to January 1 of this year?

Mr. COOPER of Tennessee. There might have been some.

Mr. EATON of Colorado. Why should they not be covered?

Mr. COOPER of Tennessee. I think they are.

Mr. STAFFORD. We should not go back many years to cases in default, where the veteran has since contracted some disease or been injured and extend the policy to the insurable condition.

Mr. COOPER of Tennessee. That is not the point. Congress authorized the issuance of this particular type of 5-year level-term premium policies, and the men took those policies. Of course, they did not all take them on the same day. They took them at different times, as they saw fit. This 5-year period of time is expiring, and this is simply for the purpose of allowing them an additional 5-year term within which to convert those policies to some other form of Government insurance.

Mr. STAFFORD. My thought was not to extend protection to those who many years back became in default and incurred some disability on account of their own conduct.

Mr. COOPER of Tennessee. I do not think that enters into it.

Mr. GILBERT. Well, reserving the right to object, I do not see how it can help but enter into it. This rate was fixed at a smaller amount by reason of the fact that before it could be carried on they would have to be insurable every five years. Now the gentleman states the rate will be increased if they can not take this up. If they have, by reason of vicious habits within the past two years become uninsurable, why should they be included? The bill is far-reaching and carries a large amount.

Mr. EATON of Colorado. Why should this privilege be denied to many thousands on account of perhaps a few cases such as the gentleman refers to?

Mr. GILBERT. This is very far-reaching and carries a large amount, Mr. Speaker, and I ask unanimous consent that it go over.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

Mr. COOPER of Tennessee. Mr. Speaker, reserving the right to object, I simply point out to the gentleman that 55,500 of these policies expire on July 1. Unless we can get this bill passed and grant this relief to this number of men, it means that that number of veterans will probably lose their protection.

Mr. GILBERT. Mr. Speaker, I have such high regard for the gentleman from Tennessee, who is advocating this measure, that I withdraw my request.

Mr. COOPER of Tennessee. Mr. Speaker, I am happy to have the privilege of raising my voice in support of the passage of the bill H. R. 8173, introduced by me and reported favorably by a unanimous vote of all of the members present of the Committee on World War Veterans' Legislation. As is indicated by the report prepared by me to accompany this bill, it provides for the renewal of 5-year level-premium term Government insurance policies for an additional 5-year period at the premium rate for the attained age, without medical examination.

This bill proposes an amendment to the first paragraph of section 301 of the World War veterans' act, as amended, by adding thereto a proviso that at the expiration of the 5-year period for the 5-year convertible term contract of insurance, such policies may be renewed for a second 5-year period at the premium rate for the attained age without medical examination. Provision is also made that in case the 5-year period of any such policy has expired prior to the date of the enactment of this amendment, and the policy has not been continued in another form of Government insurance, such policy may be renewed as of the date of its expiration on the same conditions, upon the payment of back premiums within four months after such date of enactment.

The legal authority for the issuance of the 5-year level-premium term policies is found in section 301 of the World War veterans' act, 1924, as amended June 2, 1926, and May 29, 1928 (title 38, U. S. Code, Annotated, sec. 512).

Under the present law the 5-year term policy must be converted to a higher-premium policy at the expiration of that term. While the veteran who is in good health and can pass a medical examination may obtain a new 5-year term policy under section 310, World War veterans' act, 1924, as amended, the veteran who is disabled faces forfeiture of his policy.

The average age of the veteran in July, 1932, when most of these 5-year term policies must be converted, will be 41 years. The monthly premium upon the 5-year term policy at that age is 87 cents per \$1,000, so that for the average-size policy of \$6,800 the premium is \$5.91 a month, or \$71 a year. The lowest issued policy to which the 5-year term policy may be converted is the ordinary life policy. For the ordinary life policy at the age of 41 the premium per \$1,000 is \$2.09, or \$14.21 a month on the average policy of \$6,800. That means that the ordinary life policy will cost \$171 a year, or exactly \$100 a year more than the 5-year term policy at the same age. There are approximately 97,000 veterans affected by this bill, and this is an extremely serious matter for them, because so many are unemployed and unable, perhaps, to make their premium payments. They will be unable to carry their insurance unless they can have this extension of five years, and thus will be forced to drop their insurance and so deprive their families of the protection, or will be compelled to materially reduce the amount of insurance they are able to purchase at a higher premium rate, which will in turn greatly diminish the amount of protection which they should give their families.

The information furnished by the Veterans' Administration indicates that the expiration time on these policies is as follows: January 1, 1932, 600; February 1, 1932, 630; March 1, 1932, 1,220; April 1, 1932, 3,200; May 1, 1932, 6,100; June 1, 1932, 19,700; and July 1, 1932, 55,500.

It is understood that no renewal of a 5-year policy which has expired will be granted where permanent and total disability has intervened between date of expiration and renewal.

The passage of this legislation is recommended and respectfully urged by the American Legion, Disabled American Veterans, Veterans of Foreign Wars, and all of the service organizations. Rather extensive hearings were held on this bill by the subcommittee on insurance of the World War Veterans' Committee of the House, of which I have the honor of being chairman, and the representatives of these service organizations appeared and made most excellent statements in favor of the passage of this bill.

I sincerely hope that this bill will pass and receive Executive approval at the earliest possible time, and thereby afford this measure of relief to this large group of service men who are so justly entitled to same.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the first paragraph of section 301 of the World War veterans' act, 1924, as amended (U. S. C., Supp. V, title 38, sec. 512), is hereby amended by adding the following proviso at the end thereof: "Provided further, That at the expira-

tion of the 5-year period a 5-year level-premium term policy may be renewed for a second 5-year period at the premium rate for the attained age without medical examination; and in case the 5-year period of any such policy has expired prior to the date of the enactment of this amendatory proviso and the policy has not been continued in another form of Government insurance, such policy may be renewed as of the date of its expiration on the same conditions upon payment of the back premiums within four months after such date of enactment; and the Administrator of Veterans' Affairs shall cause notice to be mailed to the holder of any such policy of the provisions of this amendatory proviso."

Mr. RANKIN. Mr. Speaker, I move to strike out the last word in order to propound an inquiry to the chairman of the subcommittee, the gentleman from Tennessee [Mr. COOPER].

When this bill was before the Committee on World War Veterans' Legislation, we had no idea it would take this long to get it through Congress. I call the attention of the chairman of the subcommittee to the following provision:

Such policy may be renewed as of the date of its expiration on the same conditions upon payment of the back premiums within four months after such date of enactment.

Ought not that to be amended to make the time five months?

Mr. COOPER of Tennessee. Mr. Speaker, probably the suggestion is sound, in that more time has been required for consideration of the bill than was contemplated at the time it was introduced. As a precautionary measure, I see no objection to the suggestion offered by the chairman of the committee.

Mr. RANKIN. Then, Mr. Speaker, I move to strike out, on page 2, line 6, the word "four" and insert in lieu thereof the word "five."

The Clerk read as follows:

Amendment offered by Mr. RANKIN: Page 2, line 6, strike out the word "four" and insert in lieu thereof the word "five."

Mr. STAFFORD. Mr. Speaker, reserving the right to object, notice should have been given in advance as to the change, but it is so insignificant I will not insist. However, that is the orderly procedure.

Mr. RANKIN. I know it is, but let me say to the gentleman from Wisconsin, that in response to a question a moment ago it was stated that a certain number of policies expired on the first of January. When the bill was before the Committee on World War Veterans' Legislation, we thought we would get it through Congress and get it agreed to in time to reach them, but I am a little fearful, since it has been more than four months in reaching this stage, that without the provision of my amendment we might not reach them.

Mr. STAFFORD. I was considering, when I went over this bill very carefully, suggesting an amendment that the provisions of the bill shall extend only to those policies that have lapsed within six months prior to the enactment of the bill, but I do not press the amendment. I think, however, some such amendment should be incorporated to protect the Government and to make the bill more certain of final approval and enactment into law. I submit my proposal to the author of the bill. I am not going to press it. It was that in line 2, page 2, after the word "to" insert the words "and within six months of," so it will read:

And in case the 5-year period of any such policy has expired prior to and within six months of the date of the enactment of this amendatory proviso.

This would limit the effective date to those policies which have defaulted within six months of the passage of the bill.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Mississippi [Mr. RANKIN].

The amendment was agreed to.

Mr. STAFFORD. Mr. Speaker, I offer an amendment. The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 2, line 2, after the word "to" insert the following: "and within six months of."

Mr. RANKIN. Make it five.

Mr. STAFFORD. Make it read, "and within five months of."

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 2, line 2, after the word "to" following the word "prior" insert the words: "and within five months of."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider laid on the table.

SENTENCE OF IMPRISONMENT

Mr. BROWNING. Mr. Speaker, I ask unanimous consent to return to Calendar No. 286 (H. R. 10599), a bill to fix the date when sentence of imprisonment shall begin to run, providing when the allowance to a prisoner of time for good conduct shall begin to run, and further to extend the provision of the parole laws. The reason for it is that the gentleman from New York [Mr. DICKSTEIN], who objected to that bill, has since examined it and withdrawn his objection.

Mr. KENNEDY. Mr. Speaker, I object.

PORTRAIT OF EX-PRESIDENT COOLIDGE

The Clerk called Senate Joint Resolution 75, authorizing the Joint Committee on the Library to procure an oil portrait of former President Calvin Coolidge.

Mr. LA GUARDIA. Mr. Speaker, reserving the right to object, if the committee will accept an amendment requiring that this portrait be the work of an American artist, or an artist who is an American, I shall support the bill. Otherwise I shall object.

Mr. GILBERT. Mr. Speaker, at this time I ask unanimous consent to address the House for four minutes.

There was no objection.

Mr. GILBERT. Mr. Speaker, the Library Committee and the Committee on Accounts are the only two committees that have ministerial duties. The Committee on Accounts, as you know, has a privileged status. The Committee on the Library has no such privilege and has to put these bills on this calendar if it hopes to pass them.

The Committee on the Library has very carefully considered the request of the gentleman from New York that an amendment be incorporated in the bill requiring that this work be done by an American artist. In the opinion of the Committee on the Library, it would be a great mistake to incorporate such an amendment in the bill, because the committee believes it would serve as a precedent which, in fact, is a slur on American art. American artists do not need this protection.

Let me say to the gentleman from New York that this portrait has already been painted. It has been painted by an American artist, Charles Hopkinson, of Boston.

Mrs. KAHN. Why not have said that weeks ago? All objections to this bill would have been removed weeks ago if the statement had been made that this portrait has already been painted and painted by an American artist. Every time we would suggest an amendment of this kind we would get no satisfaction at all from the Library Committee. The gentleman from Kentucky is the first member of the committee who has said that this portrait has been painted and painted by an American artist.

Mr. GILBERT. If the lady pleases, I have made that statement. Evidently the lady did not hear it. The gentleman from New York had a doubt about that and that raised a doubt in my mind, but I find the fact is that this portrait has already been painted and has been painted by an American artist, Charles Hopkinson, of Boston. It is not right after he has won this to incorporate an amendment in the bill which practically deprives him of much honor.

Mr. LA GUARDIA. Did the gentleman say James R. Hopkinson?

Mr. GILBERT. Charles Hopkinson, of Boston.

Mr. LA GUARDIA. According to the book of the American Academy of Design, issued in 1928, I find that Charles Hopkinson is an associate academician of the American Academy of Design. He is accepted as a painter of high standard. Now, if this portrait is the work of Hopkinson, what is the objection to the amendment I have suggested?

Mr. GILBERT. It is a bad precedent and it is a slur to American art to say that an American artist can not win awards unless protected by legislation, and such would be the effect of carrying such a provision in the bill. American artists can win without that legislative protection and American artists do not want it. Therefore, why does the gentleman insist upon putting into the law that which is a reflection upon American artists?

Mr. LA GUARDIA. I will say to the gentleman that if he will walk out into the lobby he will find portraits that are not masterpieces by any means and they were painted by foreign artists. Only recently we read in the papers that another painting had been purchased by the United States Government which was not the work of an American artist. I have had such an amendment inserted in half a dozen bills during my service in the House.

Mr. GILBERT. The gentleman may have my assurance that that does not apply to this bill.

Mr. LA GUARDIA. Of course I will take the gentleman's assurance if he says it is the work of Charles Hopkinson, because he is a fellow of the National Academy of Design.

Mr. GILBERT. I checked up on that and that is true.

The SPEAKER pro tempore. Is there objection?

Mr. PETTENGILL. Mr. Speaker, reserving the right to object, I am in entire sympathy with furnishing the White House some day with a portrait of ex-President Coolidge. However, this calls for an expenditure of \$2,500, and in view of the exigencies of the National Treasury, I think this is an item that should be postponed. Therefore I object.

The SPEAKER pro tempore. Three objections are required.

Mr. PETTENGILL and Mr. FULLER objected.

There being only two objections, the Clerk read the Senate joint resolution, as follows:

Resolved, etc., That the Joint Committee on the Library is hereby authorized to procure an oil portrait of former President Calvin Coolidge for the Executive Mansion, at a cost not to exceed \$2,500.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the Senate joint resolution was passed was laid on the table.

SPECIAL MEDICAL AND SURGICAL WORK AMONG THE INDIANS OF THE FORT PECK INDIAN RESERVATION, MONT.

Mr. GOSS. Mr. Speaker, I ask unanimous consent to return to Calendar No. 296, H. R. 10238, creating a reimbursable fund to be used for special medical and surgical work among the Indians of the Fort Peck Indian Reservation, Mont., and for other purposes. I objected to this bill earlier in the afternoon, but since then I have had a conference with the proponent of the bill and one of the other objectors. I think there will be no further objection to the consideration of this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of the funds to the credit of the Fort Peck Indians, Montana, in what is known as the 4 per cent fund, the sum of \$3,000, to be expended to pay the cost of special medical and surgical work among the Fort Peck Indians: *Provided,* That such expenditures shall be reimbursed to the fund by the Indians under such rules and regulations as the Secretary of the Interior may prescribe and shall remain available for these purposes as a continued revolving fund.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That there is hereby authorized to be appropriated from tribal funds to the credit of the Fort Peck Indians, Montana, not to exceed the sum of \$3,000 annually to defray, in whole or in part, the cost of special medical, surgical, or hospital care for indi-

vidual members of the tribe. Expenditures made shall be reimbursed to the tribal fund of said tribe under such rules and regulations as the Secretary of the Interior may prescribe."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. EATON of Colorado. Mr. Speaker, I want to say a few words about the work of the subcommittee of the Committee on Coinage, Weights, and Measures and its able chairman, upon the result of the hearings which has placed before us House Joint Resolution 385 and a report thereon.

It was on the 5th day of January this year that I first pointed out to this House the fact that the use of silver in the money of our country had been replaced to a large extent by paper, and pointed out the extent thereof; also that in the use of silver in our money for the past one hundred and forty and odd years there has been a consumptive use of over half a billion dollars of silver and not quite half so much of gold.

And on February 26 I set before you the statute of March 3, 1897, which authorized the President of the United States to appoint commissioners for an international conference upon the subject of silver and gold and their relative value as money, which statute has never been repealed and is as operative to-day as when enacted. I desire to ask unanimous consent that there be inserted at this point the statute referred to and also sections 311 and 313 under title 31, Money and Finance, on page 995 of the United States Code.

Sec. 312.—International monetary conference commissioners: Whenever the President of the United States shall determine that the United States should be represented at any international conference called by the United States or any other country with a view to securing by international agreement a fixity of relative value between gold and silver as money by means of a common ratio between these metals, with free mintage at such ratio, he may appoint five or more commissioners to such international conference; and for compensation of said commissioners, and for all reasonable expenses connected therewith, to be approved by the Secretary of State, including the proportion to be paid by the United States of the joint expenses of any such conference, the sum of \$100,000, or so much thereof as may be necessary, is appropriated. (Mar. 3, 1897, ch. 376, sec. 1, 29 Stat. 624.)

Sec. 311.—Policy of the United States: It is hereby declared to be the policy of the United States to continue the use of both gold and silver as standard money and to coin both gold and silver into money of equal intrinsic and interchangeable value, such equality to be secured through international agreement or by such safeguards of legislation as will insure the maintenance of the parity in value of the coins of the two metals and the equal power of every dollar at all times in the markets and in the payment of debts. And it is hereby further declared that the efforts of the Government should be steadily directed to the establishment of such a safe system of bimetalism as will maintain at all times the equal power of every dollar coined or issued by the United States in the markets and in the payment of debts. (Nov. 1, 1893, ch. 8, 28 Stat. 4.)

Sec. 313.—The provisions of sections 146, 313, 314, 320, 406, 408, 411, 429, 455, and 751 of this title and 51, 101, and 178 of title 12, Banks and Banking, are not intended to preclude the accomplishment of international bimetalism whenever condition shall make it expedient and practicable to secure the same by concurrent action of the leading commercial nations of the world and at a ratio which shall insure permanence of relative value between gold and silver. (Mar. 14, 1900, ch. 41, sec. 14, 31 Stat. 49.)

Mr. EATON of Colorado. At the committee hearings during the past two months there have been presented the personally expressed views of some of the best-informed men who are alive to-day who have told us about silver and gold and the use of both metals in the currency of the United States and all the other countries of the world.

Money changers, bankers, and economists, both theoretical and practical, have told facts about the use of silver as money which may be found alone in a report of the hearings before this committee. Producers, refiners, and marketers of both silver and gold prepared and produced reports which heretofore had never been compiled for the public perusal. Besides the great and distinguished men from the United States, men from England, China, and India gave the committee the benefit of their prepared statements as well as the additional information developed upon intelligent examination.

Comparatively little publicity has been given to the interesting and accurate facts which have been developed. The items have been very meager. Some days the hearing room was barely full of listeners, some interested and some merely curious.

But the members of this committee plodded on and received sufficient factual information to justify the resolution suggesting an international conference of all interested nations. It has been suggested also that if no conference is held or arranged for within, say, 60 days, then an international conference, smaller in scope, shall be held, but shall be just as important as if a larger number of nations participated.

If our Government will arrange a conference of the interested governments of North and South America, there will sit around the conference table the representatives of those countries whose knowledge of and experience in the use of silver as money, and its production both for money and commodity purposes, fully qualify them in taking proper action looking toward the solution of the money question. The conclusions reached by such a body of men concerning the very vital factor of silver in the present-day financial upheaval will be more than academic. I think it is fair to state that some bankers and money changers who deal in silver used in the world-wide business would prefer to have continued unnoticed some of the present practices in the transactions in silver in the world's business.

I think it is just as fair to state that the hearings fully justify many of the conclusions which I am told will appear in the committee's report, a copy of which, however, has not yet been made available. I am told that the committee recognizes that the situation in which silver finds itself as a money metal is attributable to governmental action and not to the abnormal increase of silver production. Debasement and demonitization of silver were legislative acts.

When the stabilization of silver as a money metal is established, one of the principal factors in the existing financial upheaval will receive its proper adjustment and cause substantial and more expeditious progress in the stabilization, not of silver alone but of commodity prices and the level thereof and thus tend to the earlier restoration of normal conditions.

There is a stagnation in the fluidity of movement of both money and credit throughout the world. Velocity has retarded to such an extent that the current of money movement has ceased in part. The same is true of credit, and to a larger degree.

The suggestion of the acceleration of circulation is found in the Glass-Steagall bill which authorized the Federal reserve system to issue a billion dollars more currency upon different securities to be designated as eligible paper with sufficient gold backing.

A later Steagall bill declaring an additional policy of the Federal reserve system is now pending in the Senate, having passed the House by a large majority. I was one of those who voted against the bill. As I saw it then and see it now, it gave legislative authority for the Secretary of the Treasury and the Federal Reserve banks and Board to set aside the gold standard without act of Congress. If that act is to be done, it is my view that it should be done directly and not indirectly, and not left to an administrative official or group of officials to do without a moment's notice. Such power was not requested by any administrative official upon whom the authority was cast.

A world conference may result in some further restoration of the confidence which is an incident and perhaps the most important incident of all money and credit movements.

Another movement which is more than a gesture has been suggested in the stabilization of silver, and that is possible whether the European countries confer or not. The United States, Canada, and Mexico are the principal silver-producing countries. Canada will produce this year between twenty and twenty-five million ounces. The United States will produce possibly thirty to thirty-five million ounces. Mexico will probably produce around 80,000,000 ounces. If the United States bought its own production of silver for a year or two at its mints, it could issue its silver certificates

therefor. The quantity per month would be added to the metal base of our money. Is not that a means of starting the fluidity of movement of money and credit which is now stopped? If the United States, Canada, and Mexico use the next year's supply of silver in their money systems for one year, and possibly for another year, who is there here to say that it will not do that very thing which all want done, namely, start the commodity prices upward and furnish more money that people can get their hands on to do their daily business?

And why can not we put that and other silver money out into circulation? Why can we not begin to use the silver dollars? Call them cartwheels or sinkers or any other name you want. As soon as they are put into circulation, of a necessity they induce more circulation. And it is new money we want. Not more debts. Not more inflation. Not more psychological statutes. But legislation which will produce new and sound metal money which will start the movement of all money and credit, and thus stabilize silver, not merely as an item, but stabilize the price of silver and every other commodity which is included in the list of the Bureau of Labor Statistics.

INTERNATIONAL TECHNICAL COMMITTEE OF AERIAL LEGAL EXPERTS

The Clerk called House Joint Resolution 193, providing for an annual appropriation to meet the quota of the United States toward the expenses of the International Technical Committee of Aerial Legal Experts.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution?

Mr. PETTENGILL and Mr. McREYNOLDS objected.

BRIDGE ACROSS THE DES MOINES RIVER

The Clerk called the next bill, H. R. 9385, authorizing Roy H. Campbell, Charles H. Brown, G. H. Wilsey, and Dr. H. O. Strosnider, their heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Des Moines River at or near St. Francisville, Mo.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, I object.

The SPEAKER pro tempore. Three objections are required.

There being only one objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in order to facilitate interstate commerce, improve the Postal Service, and provide for military and other purposes, Roy H. Campbell, Charles H. Brown, G. H. Wilsey, and Dr. H. O. Strosnider, their heirs, legal representatives, and assigns, be, and are hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Des Moines River, at a point suitable to the interests of navigation, at or near St. Francisville, Mo., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

Sec. 2. There is hereby conferred upon Roy H. Campbell, Charles H. Brown, G. H. Wilsey, and Dr. H. O. Strosnider, their heirs, legal representatives, and assigns, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Sec. 3. The said Roy H. Campbell, Charles H. Brown, G. H. Wilsey, and Dr. H. O. Strosnider, their heirs, legal representatives, and assigns, are hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

Sec. 4. After the completion of such bridge, as determined by the Secretary of War, either the State of Missouri, the State of Iowa, any public agency or political subdivision of either of such States, within or adjoining which any part of such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interest in real property necessary therefor, by purchase or by condemnation or expropriation, in accordance with the laws of either of such States governing the acquisition of private property for public purposes by condemnation or expropriation. If at any time after the expiration of five

years after the completion of such bridge the same is acquired by condemnation or expropriation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value; (2) the actual cost of acquiring such interests in real property; (3) actual financing and promotion costs not to exceed 10 per cent of the sum of the cost of constructing the bridge and its approaches and acquiring such interests in real property; and (4) actual expenditures for necessary improvements.

Sec. 5. If such bridge shall at any time be taken over or acquired by the States or public agencies or political subdivisions thereof, or by either of them, as provided in section 4 of this act, and if tolls are thereafter charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the amount paid therefor, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed 20 years from the date of acquiring the same. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the amount paid for acquiring the bridge and its approaches, the actual expenditures for maintaining, repairing, and operating the same and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested.

Sec. 6. The said Roy H. Campbell, Charles H. Brown, G. H. Wilsey, and Dr. H. O. Strosnider, their heirs, legal representatives, and assigns, shall within 90 days after the completion of such bridge file with the Secretary of War and with the highway departments of the States of Missouri and Iowa a sworn itemized statement showing the actual original cost of constructing the bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion costs. The Secretary of War may, and upon request of the highway department of either of such States shall, at any time within three years after the completion of such bridge, investigate such costs and determine the accuracy and the reasonableness of the costs alleged in the statement of costs so filed, and shall make a finding of the actual and reasonable costs of constructing, financing, and promoting such bridge; for the purpose of such investigation the said Roy H. Campbell, Charles H. Brown, G. H. Wilsey, and Dr. H. O. Strosnider, their heirs, legal representatives, and assigns, shall make available all of its records in connection with the construction, financing, and promotion thereof. The findings of the Secretary of War as to the reasonable costs of the construction, financing, and promotion of the bridge shall be conclusive for the purposes mentioned in section 4 of this act, subject only to review in a court of equity for fraud or gross mistake.

Sec. 7. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to Roy H. Campbell, Charles H. Brown, G. H. Wilsey, and Dr. H. O. Strosnider, their heirs, legal representatives, and assigns, and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

Sec. 8. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

SENTENCE OF IMPRISONMENT

Mr. BROWNING. Mr. Speaker, I ask unanimous consent to return to Calendar No. 286, the bill (H. R. 10599) to fix the date when sentence of imprisonment shall begin to run, providing when the allowance to a prisoner of time for good conduct shall begin to run, and further to extend the provisions of the parole laws. Both of the gentlemen from New York, who have heretofore objected, assure me they are willing for the measure to be considered.

The SPEAKER pro tempore (Mr. O'CONNOR). Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read the title of the bill.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the sentence of imprisonment of any person convicted of a crime in a court of the United States shall

commence to run from the date on which such person is received at the penitentiary, reformatory, or jail for service of said sentence: *Provided*, That if any such person shall be committed to a jail or other place of detention to await transportation to the place at which his sentence is to be served, the sentence of such person shall commence to run from the date on which he is received at such jail or other place of detention. No sentence shall prescribe any other method of computing the term.

SEC. 2. That with respect to Federal prisoners sentenced after this act shall become effective, deductions from the term of sentence for good conduct, as provided for by section 1 of the act of June 21, 1902 (32 Stat. 397; U. S. C., title 18, sec. 710), shall be computed beginning with the day on which the sentence commences to run.

SEC. 3. That any prisoner hereafter sentenced, who may be paroled under authority of the parole laws, shall continue on parole until the expiration of the maximum term or terms specified in his sentence without deduction of such allowance for good conduct as is or may hereafter be provided for by law.

SEC. 4. Any prisoner who shall have served the term or terms for which he shall hereafter be sentenced, less deductions allowed therefrom for good conduct, shall upon release be treated as if released on parole and shall be subject to all provisions of law relating to the parole of United States prisoners until the expiration of the maximum term or terms specified in his sentence: *Provided*, That this section shall not operate to prevent delivery of a prisoner to the authorities of any State otherwise entitled to his custody.

SEC. 5. All laws and parts of laws in conflict herewith are hereby repealed.

SEC. 6. This act shall take effect 30 days after its approval.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

AMERICAN MERCHANT MARINE

The Clerk called the next bill, H. R. 6710, to repeal certain laws providing that certain aliens who have filed declarations of intention to become citizens of the United States shall be considered citizens for the purposes of service and protection on American vessels.

Mr. CARTER of California. Mr. Speaker, I object.

OIL AND GAS PROSPECTING PERMITS

The Clerk called the next bill, H. R. 11639, to authorize extensions of time on oil and gas prospecting permits, and for other purposes.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I would like to inquire of the proponent of the bill whether some limitation should not be placed in section 2 as to granting this extension privilege to permits which have already expired. Certainly it is not the thought of the gentleman from Wyoming that every permit that has expired in the history of the Government should be revived, and yet this is within the scope of the language of the measure as written.

Mr. CARTER of Wyoming. Mr. Speaker, it is not the intention to revive every permit. It is to extend to those that would have been extended by the Secretary of the Interior had the law of 1928 not expired. The law of 1928 granted a 2-year extension. There are some permits where they have spent \$50,000 or \$100,000. There are quite a number of permits of this kind where they have not gone ahead because they wanted to conform with the conservation program of the Government.

Mr. STAFFORD. Would the gentleman have any objection to striking out the word "already," on page 2, line 4, and inserting a clause, after the word "expired," "within two years after the date of the enactment hereof."

Mr. EATON of Colorado. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. EATON of Colorado. Answering for the committee, I think such an amendment should not be placed in the bill, for the reason it has been the policy of the Interior Department for about three years to cause the holders of permits not to do any further development work. This was started in 1929; more than three years have elapsed, and a number of these permits have expired. This is in line with their policy of keeping the permits alive, but permitting the people whose permits have expired to get the benefit of the work they have done until such time as the Department of the

Interior is going to permit them to work further under their permits.

Mr. STAFFORD. What is the oldest date of these permits where work has not been performed under such oil leases?

Mr. EATON of Colorado. It would probably go back five or six or seven years, because the policy of delaying the work on all new prospecting was started in 1929.

Mr. COLTON. And may I say that this work is really in the interest of conservation.

Mr. STAFFORD. I understand that full well. I am only seeking to learn whether it is the policy to keep hanging in the air permits on which no work is done year after year. The gentleman has cited the fact that some permits have been issued and no work has been done on them for six or seven years.

Mr. EATON of Colorado. No; not for six or seven years, but since this policy went into effect in 1929, and in the extension of time there was a provision that no work should be done for a certain period. A number of these permits have expired, and it is only fair and right and equitable that the time be extended to some time in the future so permittees may go ahead with the work that has been started.

Mr. STAFFORD. Then would the gentleman have any objection to making it within three years of the date of the enactment hereof?

Mr. EATON of Colorado. I would hesitate to change the language of the department, because this is in the exact language of the previous statutes for extensions that have been made from time to time ever since the leasing act of February 25, 1920, went into effect.

Mr. CARTER of Wyoming. Will the gentleman yield?

Mr. STAFFORD. Yes; I yield to the author of the bill.

Mr. CARTER of Wyoming. Many of these extensions that were granted were granted with the understanding that they would not do any drilling during this conservation period, and now that this conservation period is still in force and effect they want extensions for a term of years while the conservation period is still in effect.

Mr. STAFFORD. Mr. Speaker, I withdraw the reservation of objection.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That any oil or gas prospecting permit issued under the act of February 25, 1920 (41 Stat. 437), or extended under the act of January 11, 1922 (42 Stat. 356), or as further extended under the acts of April 5, 1926 (44 Stat. 236), March 9, 1928 (45 Stat. 252), and the act of January 23, 1930 (46 Stat. 58), may be extended by the Secretary of the Interior for an additional period of three years in his discretion, on such conditions as he may prescribe.

SEC. 2. Upon application to the Secretary of the Interior, and subject to valid intervening rights and to the provisions of section 1 of this act, any permit which has already expired because of lack of authority under existing law to make further extensions may be extended for a period of three years from the date of the passage of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

ACCEPTANCE OF A PARCEL OF LAND FOR PARK PURPOSES, CHICKAMAUGA-CHATTANOOGA NATIONAL MILITARY PARK

The Clerk read the next bill on the Consent Calendar, H. R. 9058, to authorize the Secretary of War to accept, on behalf of the United States, a tract or parcel of land for park purposes to the Chickamauga-Chattanooga National Military Park.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized to accept on behalf of the United States, for park purposes, as a part of Chickamauga-Chattanooga National Military Park, a certain tract or parcel of land lying and being in the third civil district of Hamilton County, Tenn., on Signal Mountain; being the property of the town of Signal Mountain, and situated within the limits of said town, and known as Signal Mountain Park.

SEC. 2. The Secretary of War is empowered, within his discretion, to permit the erection on said property of any marker, monument, or ornamental design by the citizens of the town of Signal Mountain at their expense.

With the following committee amendment, which was agreed to:

Page 1, line 6, after the word "land," insert "not less than 2 acres in area."

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

AMENDING THE WORLD WAR VETERANS' ACT, 1924, AS AMENDED

The Clerk read the next bill on the Consent Calendar, H. R. 7440, to amend the World War veterans' act, 1924, as amended.

Mr. FULLER. Mr. Speaker, I ask unanimous consent to substitute an identical Senate bill, S. 2955.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That section 202 (12) of the World War veterans' act, 1924, as amended, is hereby further amended to read as follows:

"Sec. 12. Where the disabled person is a patient in a hospital, or where for any other reason the disabled person and his wife are not living together, or where the children are not in the custody of the disabled person, the amount of the compensation may be apportioned as may be prescribed by regulations. Retired pay payable under Public Act No. 506, Seventieth Congress, approved May 24, 1928, may be apportioned in the same form and manner as compensation is apportioned under the provisions of this section."

The Senate bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

The House bill was laid on the table.

AUTHORIZING THE SALE OF INTEREST IN LANDS DEVISED TO THE UNITED STATES BY SOPHIE CHANQUET

The Clerk read the next bill on the Consent Calendar, S. 694, to authorize the sale of interest in lands devised to the United States under the will of Sophie Chanquet.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. This is a case where certain lands were devised to the Veterans' Bureau, but the Veterans' Bureau is not a distinct entity of the Government, and it seeks to have granted authority to the head of the Administration of Veterans' Affairs to accept what he considers a fair amount for the undivided interest in the property. I do not think there should be any objection to the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs is hereby authorized to sell all right, title, and interest acquired by the United States under the will of Sophie Chanquet, deceased, in lands situate in the counties of Alameda and San Francisco, State of California, upon such terms and after such public notice by advertisement as he may deem best for the public interest, and to make, execute, and deliver all needful conveyances. The net proceeds of such sale shall be paid into the Treasury of the United States as miscellaneous receipts.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

INTERNATIONAL CONGRESS OF ARCHITECTS

The Clerk read the next bill on the Consent Calendar, H. R. 9892, to provide that the United States extend to foreign governments invitations to participate in the International Congress of Architects to be held in the United States during the calendar year 1933, and to authorize an appropriation to assist in meeting the expenses of the session.

The SPEAKER pro tempore. Is there objection?

Mr. KENNEDY. I object.

AUTHORIZING THE SECRETARY OF THE NAVY TO FIX THE CLOTHING ALLOWANCE FOR ENLISTED MEN OF THE NAVY

The Clerk called the next bill, H. R. 6735, to fix the clothing allowance for enlisted men of the Navy.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That hereafter the Secretary of the Navy may prescribe the money value of clothing, bedding, and outfits in kind which may be issued to enlisted men in their first enlistment in the Navy.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

BRIDGE ACROSS THE RIO GRANDE AT FORT HANCOCK, TEX.

The Clerk read the next bill on the Consent Calendar, H. R. 10585, authorizing the Fort Hancock-Porvenir Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Rio Grande at Fort Hancock, Tex.

The SPEAKER pro tempore. Is there objection?

Mr. LaGUARDIA. Reserving the right to object, may I call the attention of the gentleman to an international bridge act, which passed the House in the Seventy-first Congress? It is Public Act 403, Seventy-first Congress, creating the Great Lakes Bridge Commission, authorizing the commission and its successors to construct and operate a bridge across the river at Port Huron, Mich.

That to me represents an ideal bridge act for an international bridge. I submit it to the Committee on Interstate and Foreign Commerce to see if it is possible to extend it to this instance.

Mr. MILLIGAN. I disagree with the gentleman. I think it is the worst bridge bill ever passed in this House.

Mr. STAFFORD. We should test the bill by its works. Has any bridge been built under it?

Mr. MILLIGAN. No; and they are back here now with three amendments.

Mr. LaGUARDIA. This is the ideal model bill for an international bridge.

Mr. MILLIGAN. I am sure if the gentleman had been in the committee when the hearings were had he would not make that statement.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in order to facilitate international commerce, improve the Postal Service, and provide for military and other purposes, the Fort Hancock-Porvenir Bridge Co., its successors and assigns, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Rio Grande, so far as the United States has jurisdiction over the waters of such river, at a point suitable to the interests of navigation, at Fort Hancock, Tex., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, subject to the conditions and limitations contained in this act and subject to the approval of the proper authorities in the Republic of Mexico.

Sec. 2. There is hereby conferred upon the Fort Hancock-Porvenir Bridge Co., its successors and assigns, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property in the State of Texas needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State of Texas, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Sec. 3. The said Fort Hancock-Porvenir Bridge Co., its successors and assigns, is hereby authorized to fix and charge tolls for transit over such bridge in accordance with any laws of Texas applicable thereto, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

Sec. 4. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to Fort Hancock-Porvenir Bridge Co., its successors and assigns; and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

Sec. 5. The right to alter, amend, or repeal this Act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

EXTRA PAY, SPANISH-AMERICAN WAR VETERANS

The next business on the Consent Calendar was the bill (H. R. 7232) providing for settlement of claims of officers and enlisted men for extra pay provided by act of January 12, 1899.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LaGUARDIA. Mr. Speaker, I reserve the right to object. It has occurred to me that most of the Spanish-American War veterans are now enjoying very generous pensions. This bill would open the door to over 7,000 claims under an act passed January 12, 1899. Is not that going a little too far?

Mr. TARVER. Mr. Speaker, I ask unanimous consent to proceed for five minutes on this bill. It is a matter of general importance and I would like to explain it.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. TARVER. Mr. Speaker, the act of January 12, 1899, provided for the payment of two and one month's extra pay, depending on whether their service was abroad or at home, to veterans of the Spanish-American War and the Philippine insurrection after they were mustered out, and the act of March 2, 1899, subsequently passed, provided for the enlistment for the period of emergency of 35,000 additional volunteers. When these men enlisted under the act of March 2, 1899, first began to file their claims for this one and two months' extra pay, depending upon whether they served at home or abroad, the Assistant Comptroller of the Treasury held that the act of January 12, 1899, was retroactive only in operation and did not apply to men who enlisted after the passage of that act. However, in 1904 the Court of Claims in the case of Pierson against United States held that the act was prospective in operation, and did apply to men enlisted under the act of March 2, 1899, and since that time all claims filed by that class of claimants have been paid.

The only men enlisted under the act of March 2, 1899, who have not been paid this extra amount are those who were diligent in the prosecution of their claims and who filed them immediately after discharge, and had them erroneously disallowed as the Comptroller General in his report shows. The question now is whether or not the United States shall insist on their claims being barred by reason of the fact that an erroneous decision was made in their cases and not appealed from or shall accord to these men the same consideration that has since that time been accorded to their comrades who enlisted under the same act of Congress and who have been more fortunate in that they delayed filing their claims until the law was properly construed.

Mr. LaGUARDIA. Mr. Speaker, will the gentleman yield?

Mr. TARVER. Yes.

Mr. LaGUARDIA. I fear that any objection would be very difficult just now, because a few moments ago we passed a bill reported out from our committee granting permission to sue in admiralty to shipowners exactly in the same position as these men.

Mr. TARVER. There is no reasonable ground of objection to this bill. The United States Government does not want to plead either the statute of limitations or bankruptcy, I presume, as against a just debt.

Mr. STAFFORD. How come that these Spanish-American War veterans have had these claims all these years and no action has been taken by Congress heretofore?

Mr. TARVER. I am sorry to state to the gentleman that I have not been here all of these years and I could not answer the question.

Mr. STAFFORD. I know the gentleman is very active in his friendship to the veterans, but there have been a few here when the gentleman was not who were also friendly to the Spanish-American War veterans.

Mr. TARVER. I am sure that is true; but that fact is not any reason for denying these men justice now.

Mr. STAFFORD. Have these claims, to the gentleman's knowledge, been collected by claim agents?

Mr. TARVER. No claim agent is involved in this matter. This is a matter of as much interest to other Members of the House as it is to me. These veterans are scattered throughout the United States, and the Comptroller General in his report says the claims are just, and if they had not

been disallowed at a time when the law was erroneously construed would be allowed now.

Mr. STAFFORD. What amount is involved in these seven thousand and odd claims?

Mr. TARVER. He estimates that there are about 7,000 claims which may be filed under this bill. The amount involved I am unable to say. It is not shown by the report. The bill carries no immediate appropriation. It simply directs the consideration of these claims, after which the Congress would have to pass an appropriation for those allowed.

Mr. COLE of Iowa. How much can anyone recover under this?

Mr. TARVER. Either the one or two months' extra pay.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. PETTENGILL. Reserving the right to object, does the gentleman construe the bill as making it mandatory on the General Accounting Office to settle these claims, or is there a discretion vested in the office?

Mr. TARVER. There is no discretion vested in the office except to determine whether or not these men come within the provisions of the law. There ought not to be. If, as a matter of law, they are entitled to this extra pay, they should be allowed the extra pay, and there should be no discretion vested in the Accounting Office.

Mr. PETTENGILL. I withdraw the reservation of objection.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the General Accounting Office is authorized and directed to receive and settle claims of officers and enlisted men who were appointed or enlisted in the Army under the act of March 2, 1899 (30 Stat. L. 979), for one or two months' extra pay provided by the act of January 12, 1899 (30 Stat. L. 784), notwithstanding the disallowance of their claims for such extra pay by the former accounting officers of the Treasury.

With the following committee amendment:

On line 8, after the comma, following the parenthesis, insert "as amended."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

AMENDING ACT OF MARCH 13, 1924

The Clerk called the next bill on the Consent Calendar, S. 2986, to amend the act of March 13, 1924 (43 Stat. L. 21), so as to permit the Flathead, Kootenai, and Upper Pend d'Oreille Tribes or Nations of Indians to file suit thereunder.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LaGUARDIA. Mr. Speaker, I object.

AMENDING SECTION 35 OF JUDICIAL CODE

The Clerk called the next bill on the Consent Calendar, H. R. 8577, to amend section 95 of the Judicial Code, as amended.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GILBERT. Mr. Speaker, reserving the right to object, I would like to have some explanation about this bill.

Mr. ROGERS. Mr. Speaker, this bill is designed simply to provide for the holding of an additional term of the United States district court in the district of New Hampshire.

Under the law at present terms of the United States district court in that State are held at Concord, the capital of the State, and at Littleton, which is nearly 100 miles north of Concord. Those are the only two places at the present time in which terms of the United States district court are held.

Personally speaking, being a practicing attorney in the State of New Hampshire, I would just as soon have the terms held all the time at Concord, the capital of the State, where my office is located, but the fact remains that the city of Manchester, which is by far the largest city in the

State of New Hampshire, having about 77,000 inhabitants, as compared with 25,000 at Concord, and the city of Nashua, which is located still farther south of Concord, the second largest city, having a population of over 30,000, and other cities south and east of Concord, from which, under present conditions, the greater part of the work for the district court of the district of New Hampshire comes, ought to be given some opportunity to have facilities furnished whereby terms of the district court may be held in the largest city—that is, the city of Manchester.

It carries with it no expense whatsoever, and simply provides an opportunity of holding court in that city.

Mr. GILBERT. It will require additional clerks, will it not?

Mr. ROGERS. It will require no additional clerks and no additional officers.

Mr. STAFFORD. Will the gentleman yield?

Mr. ROGERS. I yield.

Mr. STAFFORD. There are some States, such as Indiana, for instance, where it is the policy to have the sessions of the United States district court held only in Indianapolis and not in any surrounding cities. Is it the sense of the bar of the State of New Hampshire that the trial of cases should be centered in one place, or scattered throughout the State?

Mr. ROGERS. In answer to that, of course, I can not speak for the bar of the State, but as far as I know, it is the sentiment of all the practicing attorneys whom I do know, and a great many of them have spoken to me about it, and I think my colleague on the other side of the aisle, the gentleman from New Hampshire [Mr. WASON], would fully agree with me, that in New Hampshire there ought to be facilities in the northern part of the State, in the central part of the State, and an additional place in the city of Manchester, which is south of the capital, and which is the largest city of the State. It would be better for the bench, the bar, and the litigants.

Mr. STAFFORD. What is the farthest distance between the city of Nashua and where it is proposed to hold these sittings, at Manchester and Littleton?

Mr. ROGERS. It is nearly 100 miles north of Concord to Littleton, but Nashua is about 40 miles farther south. Portsmouth, I should say, is about 50 miles east of there. There are several cities south and east which would be greatly accommodated if facilities can be provided at Manchester, and there will not be one cent of expense involved.

Mr. PETTENGILL. Will the gentleman yield?

Mr. ROGERS. I yield.

Mr. PETTENGILL. Would the gentleman explain why the matter was not referred to the Department of Justice? There is nothing in the report from the Department of Justice.

Mr. ROGERS. All I can say about it is that this is a matter which was being considered by my predecessor, the late Congressman Hale, at the time of his death. He was a member of the New Hampshire bar, on the other side of the House, a man for whom the entire bar had great respect. He knew it was the consensus of opinion of the bar of the State that opportunity should be had to hold court in the city of Manchester. I simply took it up where he left it off and introduced the bill.

Mr. STAFFORD. From the knowledge which the gentleman has, as a practicing attorney in New Hampshire, there is no objection from the New Hampshire bar?

Mr. ROGERS. I think the New Hampshire bar would be very substantially for it. I have heard no objection to it.

Mr. LA GUARDIA. Mr. Speaker, reserving the right to object, I would like to ask the gentleman what is the population of Littleton?

Mr. ROGERS. It is a town. It is not a city.

Mr. LA GUARDIA. Exactly. It occurred to me when we considered the bill in committee that the term of court in Littleton ought to be wiped out, because it really serves no useful purpose. I can see the reason for it at Concord and, of course, at Manchester, but there is no good reason why they should hold a term of court at Littleton.

Mr. ROGERS. I may say to the gentleman that I think ultimately that will probably come about.

Mr. LA GUARDIA. As a matter of fact, it is the judge's home town?

Mr. ROGERS. No. The judge lives farther north than that.

Mr. LA GUARDIA. There must be some peculiar reason why they have a term of court at Littleton.

Mr. ROGERS. It has simply been held there for years.

The SPEAKER pro tempore. Is there objection?

Mr. SPARKS. Mr. Speaker, reserving the right to object, as I understand it, Manchester already has accommodations for holding Federal court, so it would not involve the Government in any additional expense to hold court at Manchester.

Mr. ROGERS. I do not understand that it would.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 95 of the Judicial Code (U. S. C., sec. 175), as amended by an act approved February 28, 1926, is further amended to read as follows:

"The State of New Hampshire shall constitute one judicial district to be known as the district of New Hampshire. Terms of the district court shall be held at Concord on the first Tuesday in January and on the first Wednesday after the first Monday in September; at Manchester on the fourth Tuesday in March; and at Littleton on the second Tuesday in October."

With the following committee amendments:

Page 1, line 3, strike out "Code (U. S. C., sec. 175), as amended by an act approved February 28, 1926, is further amended to read as follows" and insert in lieu thereof the following: "Code, as amended (U. S. C., title 28, sec. 175), is amended to read as follows."

On page 2, line 3, after the word "October," insert a colon and the following: "Provided, That a suitable and convenient place for holding court at Manchester shall be provided and furnished without expense to the United States until a Federal building containing quarters for the court is erected at such place."

The committee amendments were agreed to.

Mr. ROGERS. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROGERS: Page 2, lines 1 to 7, inclusive, after the word "September," strike out the remainder of the paragraph and insert in lieu thereof the following: "At Littleton on the second Tuesday of October; and at Manchester on the fourth Tuesday of March: *Provided*, That a suitable and convenient place for holding court at said Manchester shall be provided and furnished without expense to the United States until a Federal building containing quarters for the court is erected at such place."

Mr. LA GUARDIA. Mr. Speaker, I rise in opposition to the amendment. What does the gentleman's amendment do?

Mr. ROGERS. The amendment does not in any way change the substantial part of the bill. It is simply offered to correct a possibility of misunderstanding in the remainder or the bill. The amendment is offered to clarify the bill.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from New Hampshire.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

Mr. FULBRIGHT. Mr. Speaker, I ask unanimous consent to proceed out of order for five minutes.

Mr. BALDRIGE. Mr. Speaker, I object.

ALTERNATE JURORS

Mr. SUMNERS of Texas. Mr. Speaker, I ask unanimous consent to return to Calendar No. 281, the bill (H. R. 10587) to provide for alternate jurors in certain criminal cases.

The SPEAKER. Is there objection to the request of the gentleman from Texas to return to Calendar No. 281?

There was no objection.

The Clerk read the title of the bill.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That whenever, in the opinion of a judge of a court of the United States about to try a defendant against whom has been filed any indictment, the trial is likely to be a protracted one, the court may cause an entry to that effect to

be made in the minutes of the court, and thereupon, immediately after the jury is impaneled and sworn, the court may direct the calling of one or two additional jurors, in its discretion, to be known as alternate jurors. Such jurors must be drawn from the same source, and in the same manner, and have the same qualifications as the jurors already sworn, and be subject to the same examination and challenges: *Provided*, That the prosecution shall be entitled to one and the defendant to two peremptory challenges to such alternate jurors. Such alternate jurors shall be seated near, with equal power and facilities for seeing and hearing the proceedings in the case, and shall take the same oath as the jurors already selected and must attend at all times upon the trial of the cause in company with the other jurors. They shall obey the orders of and be bound by the admonition of the court upon each adjournment of the court; but if the regular jurors are ordered to be kept in custody during the trial of the cause, such alternate jurors shall also be kept in confinement with the other jurors, and except, as hereinafter provided, shall be discharged upon the final submission of the case to the jury. If, before the final submission of the case, a juror die, or become ill, so as to be unable to perform his duty, the court may order him to be discharged and draw the name of an alternate, who shall then take his place in the jury box and be subject to the same rules and regulations as though he had been selected as one of the original jurors.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

CONSERVATION OF WILD LIFE

The Clerk called the next bill, S. 263, to promote the conservation of wild life, fish, and game, and for other purposes.

Mr. LaGUARDIA. Mr. Speaker, reserving the right to object, the hearings on this bill are not ready, and I am informed they will not be ready until May 23, 1932. I therefore ask that it may go over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

BOWDOIN WELL, MONTANA

The Clerk called the next bill, H. R. 9369, to set aside certain lands around the abandoned Bowdoin well, Montana, for recreational purposes, under a permit to Phillips County Post, No. 57, of the American Legion, Department of Montana.

Mr. LaGUARDIA. Mr. Speaker, reserving the right to object, I certainly object to the subleasing feature of the bill. If you want to give a permit to this post of the American Legion to enter the park and use its natural hot water, there is no objection; but the bill goes further and permits the post to sublease this concession to any private interest. It looks now as if the whole thing were set.

Mr. LEAVITT. Mr. Speaker, if the gentleman will permit, only under such rules and regulations as may be prescribed by the Secretary of the Interior.

Mr. LaGUARDIA. But why give them as a matter of right permission to do something which perhaps would not be consented to if the House thoroughly knew all the facts?

Mr. LEAVITT. The American Legion has made some little development there. Of course, that particular feature is one the American Legion is not very much interested in. Perhaps the gentleman's objection could be met by offering an amendment to strike out that part of the bill.

Mr. LaGUARDIA. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

INCORPORATION OF DISABLED AMERICAN VETERANS OF THE WORLD WAR

The Clerk called the next bill, H. R. 4738, to incorporate the Disabled American Veterans of the World War.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the following persons, to wit, Robert S. Marx, of Ohio; William J. Donovan, of New York; H. G. Lightner, of Kentucky; A. B. Powell, of Alabama; Glenn E. Miner, of Arizona; George H. H. Pratt, of Arkansas; Volney P. Mooney, jr., of California; A. E. Sherlock, of Colorado; Peter Nugent, of Connecticut; Miles H. Draper, of Florida; William E. Tate, of Georgia; Jesse J. McQueen, of Idaho; Herman H. Weimer, of Illinois; S. G.

Smelser, of Indiana; Henry J. Bitters, of Iowa; E. C. Moore, of Kansas; L. C. Mayeaux, of Louisiana; F. J. McCarthy, of Maine; George W. Golden, of Maryland; J. W. McQueen, of Missouri; Leon C. Waite, of Massachusetts; L. E. Sharp, of Michigan; George E. Leach, of Minnesota; Quintus E. Camp, of Mississippi; John W. Mahan, of Montana; Leonard D. Densmore, of Nebraska; I. A. Lougaris, of Nevada; E. P. Badger, of New Hampshire; W. J. Dodd, of New Jersey; Carl F. Whittaker, of New Mexico; Malcolm Smith, of North Carolina; H. J. Muehlenbein, of North Dakota; Fletcher Riley, of Oklahoma; Lile Dalley, of Oregon; J. J. O'Leary, of Pennsylvania; Arthur Cole, of Rhode Island; G. G. Blackman, of South Carolina; Albert Haugse, of South Dakota; Reuben D. Hays, of Tennessee; M. A. Harlan, of Texas; Gaylen S. Young, of Utah; Malvern S. Ellis, of Vermont; George D. Simmons, of Virginia; Miles Price, of Washington; W. J. O'Neill, of West Virginia; Rev. G. Stearns, of Wisconsin; and such persons as may be chosen who are members of the Disabled American Veterans of the World War, and their successors, are hereby created and declared to be a body corporate. The name of this corporation shall be the "Disabled American Veterans of the World War."

SEC. 2. That said persons named in section 1, and such other persons as may be selected from among the membership of the Disabled American Veterans of the World War, an unincorporated patriotic society of the wounded and disabled soldiers, sailors, and marines of the Great War of 1917-18, are hereby authorized to meet to complete the organization of said corporation by the selection of officers, the adoption of a constitution and by-laws, and to do all other things necessary to carry into effect the provisions of this act, at which meeting any person duly accredited as a delegate from any local or State organizations of the existing unincorporated organization known as the Disabled American Veterans of the World War shall be permitted to participate in the proceedings thereof.

SEC. 3. That the purposes of this corporation shall be: To uphold and maintain the Constitution and the laws of the United States, to realize the true American ideals and aims for which those eligible to membership fought; to advance the interests and work for the betterment of all wounded, injured, and disabled veterans of the World War; to cooperate with the United States Veterans' Administration and all other public and private agencies devoted to the cause of improving and advancing the condition, health, and interests of wounded, injured, or disabled veterans of the World War; to stimulate a feeling of mutual devotion, helpfulness, and comradeship among all wounded, injured, or disabled veterans of the World War; and to encourage in all people that spirit of understanding which will guard against future wars.

SEC. 4. That the corporation created by this act shall have the following powers: To have perpetual succession with power to sue and be sued in courts of law and equity; to receive, hold, own, use, and dispose of such real estate and personal property as shall be necessary for its corporate purposes; to adopt a corporate seal and alter the same at pleasure; to adopt a constitution, by-laws, and regulations to carry out its purposes, not inconsistent with the laws of the United States or any State; to use in carrying out the purposes of the corporation such emblems and badges as it may adopt; to establish and maintain offices for the conduct of its business; to establish State and Territorial organizations and local chapter or post organizations; to publish a newspaper or other publications devoted to the purposes of the corporation; and generally to do any all such acts and things as may be necessary and proper in carrying into effect the purposes of the corporation.

SEC. 5. That no person shall be a member of this corporation unless he—

Any man or woman who was wounded, gassed, injured, or disabled in line of duty while in the service of either the military or naval forces of the United States between the dates of April 6, 1917, and July 2, 1921, and who was in the service between the dates of April 6, 1917, and November 11, 1918, and who received an honorable discharge is eligible for membership in the Disabled American Veterans. Others who were disabled while serving with any of the armed forces of the nations associated with the United States during the World War and who are now American citizens and were honorably discharged, are also eligible. There are no honorary members.

SEC. 6. That the organization shall be nonpolitical, nonsectarian, as an organization shall not promote the candidacy of any persons seeking public office.

SEC. 7. That said corporation may acquire any or all of the assets of the existing unincorporated national organization known as the Disabled American Veterans of the World War, upon discharging or satisfactorily providing for the payment and discharge of all its liabilities.

SEC. 8. That said corporation and its State and local subdivisions shall have the sole and exclusive right to have and to use in carrying out its purposes the name the "Disabled Veterans of the World War."

SEC. 9. That the said corporation shall, on or before the 1st day of January in each year, make and transmit to the Congress a report of its proceedings for the preceding calendar year, including a full and complete report of its receipts and expenditures: *Provided, however*, That said report shall not be printed as a public document.

SEC. 10. That as a condition precedent to the exercise of any power or privilege herein granted or conferred the Disabled American Veterans of the World War shall file in the office of the secretary of each State in which posts, chapters, or subdivisions thereof

may be organized the name and post-office address of an authorized agent in such State upon whom legal process or demands against the Disabled American Veterans of the World War may be served.

Sec. 11. That the right to repeal, alter, or amend this act at any time is hereby expressly reserved.

Mr. STAFFORD. Will the gentleman yield?

Mr. BACHMANN. Yes.

Mr. STAFFORD. I would like to inquire of the gentleman as to the reason why in section 8 you grant to this new corporation, to be known as the Disabled American Veterans of the World War, the sole and exclusive right to have and to use in carrying out its purpose the name the "Disabled Veterans of the World War"?

Mr. BACHMANN. Because only disabled veterans can become members of this organization. In addition to that, it is to prevent these other organizations that are not authentic from going about the country and collecting money in the name of the Disabled Veterans of the World War.

Mr. STAFFORD. So virtually they have two names, one the titular name which we grant here, the Disabled American Veterans of the World War and, as provided in section 8, they are to be permitted to use a dual name in order to prevent any other corporation from using it, the name of Disabled Veterans of the World War.

Mr. BACHMANN. That is what they are—disabled veterans.

Mr. STAFFORD. We are designating this corporation as the Disabled American Veterans of the World War, while in section 8 it is provided that said corporation shall have the sole and exclusive right to have and to use in carrying out its purposes the name the "Disabled Veterans of the World War."

Mr. BACHMANN. Yes; that is to prevent these other organizations from running about over the country and misrepresenting this organization for the collection of money and raising funds.

Mr. STAFFORD. Why not include some other name? Why not say they can not use the title "disabled veterans of foreign wars"? If you are going to provide any such provision as this, why not incorporate the entire category of names that might be coined?

Mr. BACHMANN. That is the only name that seems to be necessary.

Mr. STAFFORD. I think it is an incongruity that should not be recognized.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

NAMING OF SUBCONTRACTORS BY CONTRACTORS ON PUBLIC-BUILDING PROJECTS

The Clerk called the next bill, H. R. 9921, to require contractors on public-building projects to name their subcontractors, material men, and supply men, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. KENNEDY. Mr. Speaker, I object.

GRASSHOPPER CONTROL

Mr. BUCHANAN. Mr. Speaker, I move to suspend the rules and pass Senate Joint Resolution 149, making funds available for grasshopper control, with an amendment.

The Clerk read as follows:

Strike out all after the enacting clause of the Senate joint resolution and insert:

"That for the application of such methods of control of grasshoppers as, in the judgment of the Secretary of Agriculture, may be necessary, in cooperation with such authorities of the States concerned, organizations, or individuals as the Secretary may deem necessary to accomplish such purposes, including the employment of persons and means in the District of Columbia and elsewhere, printing, rent outside of the District of Columbia, and for other expenses, the sum of \$1,000,000 is hereby appropriated, to be immediately available and to be expended by the Secretary of Agriculture, of which sum not to exceed \$8,000 may be expended for personal services in the District of Columbia: *Provided*, That except for general administration and supervision, in the discre-

tion of the Secretary of Agriculture, expenditures under this appropriation shall be limited to the purchase and transportation of poisoned bait, or materials for its manufacture, and that the co-operating States shall be responsible for the local distribution and utilization of such bait, including full labor costs: *Provided further*, That in the discretion of the Secretary of Agriculture no part of this appropriation shall be expended for grasshopper control in any State until such State has provided necessary organization for the cooperation herein indicated: *And provided further*, That in no event shall the Federal Government be liable to any State or any political subdivision thereof, or to any organization, individual, firm, or corporation, for any damages resulting from the spreading or application of the poisoned bait herein appropriated for."

The SPEAKER. Is a second demanded?

Mr. WARREN. Mr. Speaker, I make the point of no quorum.

The SPEAKER. The Chair will count. [After counting.] One hundred and eighty-seven Members are present, not a quorum.

Mr. WARREN. Mr. Speaker, I move a call of the House. A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 75]

Abernethy	Drane	Johnson, Tex.	Ragon
Aldrich	Eaton, N. J.	Johnson, Wash.	Ransley
Auf der Heide	Erk	Kelly, Pa.	Reid, Ill.
Bacharach	Estep	Kendall	Schuetz
Beam	Fish	Kinzer	Seger
Beck	Freeman	Kleberg	Shannon
Blanton	French	Kunz	Smith, Idaho
Bohn	Gambrill	Kurtz	Somers, N. Y.
Boylan	Gasque	Lambertson	Stevenson
Brand, Ohio	Gibson	Lamneck	Stewart
Cary	Gifford	Lea	Sullivan, Pa.
Chapman	Gillen	Lehlbach	Thatcher
Chase	Goldsborough	Lewis	Thurston
Chavez	Griffin	Lichtenwalner	Tierney
Clancy	Hancock, N. Y.	Linthicum	Tilson
Collier	Hancock, N. C.	McDuffie	Tucker
Connery	Hartley	Martin, Oreg.	Underhill
Connolly	Haugen	Murphy	Watson
Cooper, Ohio	Hogg, W. Va.	Nelson, Wis.	Withrow
Corning	Hope	Overton	Wolfenden
Crosser	Hornor	Owen	Wood, Ga.
Crumpp	Hull, William E.	Patterson	Wood, Ind.
De Priest	Igoe	Polk	Yon
Dieterich	Jeffers	Pou	
Dominick	Jenkins	Prall	
Douglas, Ariz.	Johnson, Ill.	Purnell	

The SPEAKER. Three hundred and thirty-one Members have answered to their names; a quorum is present.

Mr. BYRNS. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

Mr. BYRNS. Mr. Speaker, I demand a second.

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

Mr. BYRNS. Mr. Speaker, I object.

The SPEAKER appointed as tellers Mr. BYRNS and Mr. BUCHANAN.

Mr. BANKHEAD. Mr. Speaker, inasmuch as this procedure has not been invoked during this session of Congress, I submit this parliamentary inquiry.

The gentleman from Texas [Mr. BUCHANAN] submitted a unanimous-consent request that a second be considered as ordered for the consideration of this bill under suspension of the rules. Thereupon the gentleman from Tennessee [Mr. BYRNS] objected. The effect of this, by a teller vote, as I understand the rules, is that those who favor consideration of the bill under suspension of the rules will pass through the tellers in the first instance, and those who are opposed to its consideration will pass through in opposition.

The SPEAKER. The gentleman has stated the parliamentary situation correctly.

The House divided; and the tellers reported that there were—ayes 99, noes 137.

So a second was refused.

FEDERAL INTERMEDIATE-CREDIT BANKS

Mr. STEAGALL. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2409) to amend Title II of the Federal farm loan act in regard to Federal intermediate-credit banks, and for other purposes.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 202 (a) of Title II of the Federal farm loan act, as amended (U. S. C., title 12, ch. 8, sec. 1031), is hereby amended by substituting a semicolon for the period at the end of clause (3) and adding thereto the following new matter: "and to accept drafts or bills of exchange issued or drawn by any such association when secured by warehouse receipts and/or shipping documents covering staple agricultural products as herein provided."

Sec. 2. Section 205 of Title II of the Federal farm loan act, as amended (U. S. C., title 12, ch. 8, sec. 1061), is hereby amended by adding at the end thereof the following new matter: "In the event that there shall be an impairment of the paid-in capital of any Federal intermediate-credit bank, the Farm Loan Board, at such time or times as it deems advisable, may determine and assess the amount thereof against the other Federal intermediate-credit banks on such equitable basis of apportionment as it shall prescribe. Each bank against which such an assessment is made shall, out of its surplus and/or to an extent up to 50 per cent of its net earnings, in accordance with the terms of such assessment, pay the amount thereof as soon as possible to the bank having the impairment. In such event payments into the surplus fund and payments of the franchise tax prescribed by this chapter shall be determined on the basis of the net earnings remaining after providing for the payment of any such assessment."

Sec. 3. Section 206 (b) of Title II of the Federal farm loan act, as amended (U. S. C., title 12, ch. 8, sec. 1072), is hereby amended (effective January 1, 1932) by striking out the first two sentences of said section and substituting therefor the following new matter: "After all necessary expenses of a Federal intermediate-credit bank have been paid or provided for, the net earnings shall be paid into a surplus fund until it shall amount to 100 per cent of the subscribed capital stock of such bank, and thereafter 50 per cent of such earnings shall be paid into the surplus. Whenever the surplus thus paid in shall have been impaired it shall be fully restored before payment of the franchise tax herein prescribed. After the aforesaid requirements of this section have been fully met and, except as otherwise provided in this act, 50 per cent of the net earnings shall be paid to the United States as a franchise tax."

Sec. 4. Section 207 of Title II of the Federal farm loan act, as amended (U. S. C., title 12, ch. 8, sec. 1081), is hereby amended by striking out the period at the end thereof and substituting a colon, together with a proviso as follows: "Provided, That in view of the liability of all Federal intermediate-credit banks for the debentures and other such obligations of each bank under this act, the banks shall, in accordance with rules, regulations, and orders of the Federal Farm Loan Board, enter into adequate agreements and arrangements among themselves by which funds shall be transferred and/or made available from time to time for the payment of all such debentures and other such obligations and the interest thereon when due in accordance with the terms thereof."

Sec. 5. The second paragraph of section 13 (a) of the Federal reserve act, as amended (U. S. C., title 12, ch. 3, 349), is hereby amended by adding thereto a new sentence as follows: "Any Federal reserve bank may also, subject to regulations and limitations to be prescribed by the Federal Reserve Board, discount notes payable to and bearing the indorsement of any Federal intermediate-credit bank, covering loans or advances made by such bank pursuant to the provisions of section 202 (a) of Title II of the Federal farm loan act, as amended (U. S. C., title 12, ch. 8, sec. 1031), which have maturities at the time of discount of not more than nine months, exclusive of days of grace, and which are secured by notes, drafts, or bills of exchange eligible for rediscount by Federal reserve banks."

Sec. 6. The seventh paragraph of section 13 of the Federal reserve act, as amended (U. S. C., title 12, ch. 3, sec. 347), is hereby amended by changing the period at the end thereof to a comma and adding thereto the words "or by the deposit or pledge of debentures or other such obligations of Federal intermediate-credit banks which are eligible for purchase by Federal reserve banks under section 13 (a) of this act."

Mr. CHINDBLOM. Mr. Speaker, I ask unanimous consent that before proceeding with the demand for a second the gentleman from Alabama [Mr. STEAGALL] may have 10 minutes in which to explain to the House the purpose of this bill and the necessity for its immediate consideration; and may I say in explanation of the request that it has not been possible to get a copy of the report within the last few minutes.

The SPEAKER. The gentleman from Illinois asks unanimous consent that before a second is ordered the gentleman from Alabama [Mr. STEAGALL] may have 10 minutes in which to explain the bill. Is there objection?

Mr. McFADDEN. Mr. Speaker, reserving the right to object, I would not lose my right to demand a second if the request is granted?

The SPEAKER. The gentleman's request does not preclude the gentleman from demanding a second. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. STEAGALL. Mr. Speaker, there is not anything in this bill to which many Members of the House will object. It is true the bill is somewhat technical and it is also true that a mere casual reading might not fully inform a Member who had never given the legislation any study. The measure is not such as to cause Members of the House alarm.

It comes before the House with a unanimous report from the Committee on Banking and Currency, with possibly one exception. The bill has passed the Senate; and if it is proper to say so, I may add, without any objection from the members of the Banking and Currency Committee of that body or from the membership of that body at large. It represents an effort of farm organizations and Members of the House to enlarge the service rendered to agriculture by the intermediate-credit banks. The first four sections relate to the Federal farm loan act. The first section permits intermediate-credit banks to purchase acceptances secured by warehouse receipts or documents covering farm products. This would give the banks the benefit of the accepted rate of interest, which is usually lower than interest paid on debentures of the banks.

Section 2 provides for assessing all the banks to take care of any possible impairment of the capital of any one of the 12 banks. This is only a simplification of methods for doing what must be done under existing law.

The third section fixes the distribution of earnings of the banks, so as to require the accumulation of surplus equal to capital before paying earnings into the Treasury as a franchise tax.

Section 4 only provides in detail for transfer of funds from one of the banks to another to meet any obligation for which each of the 12 banks is responsible. There is no difference of opinion as to these sections.

There are only two provisions in the bill about which there is any controversy. Is not that right, may I ask the gentleman from Pennsylvania [Mr. McFADDEN]?

Mr. McFADDEN. Yes.

Mr. STEAGALL. These are two provisions which amend the Federal reserve act; and in view of the fact that the gentleman from Pennsylvania has just assented to my statement, I shall limit my remarks to the two sections to which I have referred. The first of these is section 5.

Any Federal reserve bank may also, subject to regulations and limitations to be prescribed by the Federal Reserve Board, discount notes payable to and bearing the indorsement of any Federal intermediate-credit bank, covering loans or advances made by such bank pursuant to the provisions of section 202 (a) of Title II of the Federal farm loan act, as amended (U. S. C., title 12, ch. 8, sec. 1031), which have maturities at the time of discount of not more than nine months, exclusive of days of grace, and which are secured by notes, drafts, or bills of exchange eligible for rediscount by Federal reserve banks.

The Federal reserve banks are permitted under existing law to rediscount the very kind of paper, notes, drafts, or bills of exchange that are provided for in this bill if offered by member banks.

The Federal reserve banks may rediscount for the intermediate-credit banks this same class of notes, drafts, bills of exchange, if purchased by the intermediate-credit banks.

The purpose of the amendment is to permit Federal reserve banks to rediscount the same notes, drafts, bills of exchange held by intermediate-credit banks covering loans and advances made directly by intermediate-credit banks to agricultural corporations and banks and other financial institutions to which intermediate-credit banks are permitted to make direct loans.

It is simply a piece of lost machinery in the intermediate-credit banks that we are attempting to supply.

I will say that with possibly one exception I have not heard of anybody who is opposed to that provision of the bill.

Mr. LUCE. Will the gentleman yield?

Mr. STEAGALL. I yield?

Mr. LUCE. Is it not a fact that the measure is recommended by the Secretary of the Treasury?

Mr. STEAGALL. Yes.

Mr. LUCE. And by the Federal Farm Board and the Farm Loan Board?

Mr. STEAGALL. Yes.

Mr. LUCE. And the Federal Reserve Board?

Mr. STEAGALL. Yes; and I was going to state also the American Farm Bureau Federation, the Grange, and all the farm organizations in the country that are interested in enlarging and improving the facilities of the intermediate-credit banks.

Mr. SNELL. Will the gentleman yield?

Mr. STEAGALL. I will.

Mr. SNELL. The report does not say that the measure is recommended by the Secretary of the Treasury or the Federal Reserve Board.

Mr. STEAGALL. I think the gentleman should be willing to accept the statement of the distinguished gentleman from Massachusetts that there are such indorsements of the bill. I will say that we have them in the files.

Mr. SNELL. The gentleman misapprehended the purport of my question. I simply could not find it in the report, and I wanted to be sure that the measure had those recommendations. I have told various Members on this side that such was the case, but they questioned my statement, and I did not see it in the report, and wondered why it was not in the report.

Mr. STEAGALL. The gentleman knows the haste with which these reports are sometimes prepared, and I do not think it is absolutely necessary that Congress should have the indorsement of people on the outside, nor of the heads of departments and boards. It is a fact, however, that this measure is indorsed by the Secretary of the Treasury, by the Federal Farm Board, by the Federal Reserve Board, and the farm organizations of the country.

Now, there is another provision, and that is banks that have debentures and obligations of the intermediate-credit banks may use them for rediscount for 15-day loans by the Federal reserve banks. These obligations are secured by every one of the 12 intermediate-credit banks. The stock is owned by the Government of the United States, \$60,000,000 of it, and half of that stock is now held in the Treasury for the support of the obligations of the intermediate-credit banks.

These obligations may be purchased now from Federal reserve banks. They are as sound and desirable as commercial paper, which the banks are permitted to accept for advances under existing law. They are secured by the entire 12 banks, and the Government owns the capital in those banks. The provision would make these securities more desirable by member banks and reduce the interest which is paid by farmer borrowers.

The SPEAKER. Is a second demanded?

Mr. McFADDEN. Mr. Speaker, I demand a second.

Mr. STEAGALL. I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection?

There was no objection.

Mr. STEAGALL. Mr. Speaker, inasmuch as I have just discussed the bill, I will allow the gentleman from Pennsylvania to proceed.

Mr. McFADDEN. Mr. Speaker, I desire particularly to call the attention of Members of the House to the provisions of this bill which permit the rediscount of notes secured by intermediate-credit debentures with the Federal reserve banks. I raise no objection to that provision, but I do raise a serious objection to the provision which authorizes the issuance of Federal reserve notes on 15-day loans secured by these intermediate-credit debentures. Recently under the Steagall-Glass bill we permitted the substitution of Government bonds for gold or eligible paper as security for the issuance of Federal reserve notes. We are now placing these intermediate-credit borrowings in the form of debentures in exactly the same position that we give to Government bonds. Is there going to be no end to the weakening of securities which we place back of the issuance of Federal reserve notes? Here is a second attempt now. What do we find? We find that the gold movement out of this country is beginning

again and that confidence in the American dollar is being again questioned everywhere. Such proposals as these are the items which go to bring about distrust. I think it is a very serious question which is before us at this time—giving the right to the Federal reserve system to issue their note when secured by intermediate-credit debentures. I think you are going a long way when you permit under the Steagall bill the substitution of Government bonds for gold. Here is an attempt to take another class of bonds and make them also eligible when attached to a 15-day note of a bank. That is my objection to this bill. I have tried to make a simple explanation of it. If you want to go ahead and continue to weaken the American dollar, this is one of the finest ways in the world to do it.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. McFADDEN. Yes.

Mr. CELLER. Would the gentleman say that intermediate-acceptance notes are any worse or better than ordinary commercial paper eligible for rediscount, which is the basis of Federal reserve notes?

Mr. McFADDEN. I think when you authorize the issuance of debentures as security for the issuance of Federal reserve notes, you are going a long way. It is simply another step in the direction of cheapening and bringing discredit upon the American dollar.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. McFADDEN. Yes.

Mr. STAFFORD. So far as commercial paper is concerned, the Federal reserve bank is not privileged to issue Federal reserve notes except on 90-day paper. Here, however, you are authorizing the issuance on notes of these banks of nine months' duration. What is the reason for the discrimination?

Mr. McFADDEN. The argument presented is to make more salable the securities of the intermediate-credit banks. I think when you give eligibility to the intermediate-credit securities in Federal reserve you are going as far as you should go. I do not think they should have this additional authority to place them as security for Federal reserve notes, and I think you are dignifying the intermediate-credit instruments to a great extent when you make them eligible for rediscount, but you should not go beyond that.

Mr. STAFFORD. There is no liquidity as far as these notes are concerned—the Federal intermediate notes.

Mr. McFADDEN. We are destroying all elements of liquidity by placing long-time Government securities and debentures back of Federal reserve notes.

Mr. STAFFORD. This does nothing more than give an impetus to the withdrawal of more gold. Last week \$74,000,000 of gold was driven out of the country by virtue of the Goldsborough bill.

Mr. McFADDEN. The gentleman is correct.

Mr. ARENTZ. Mr. Speaker, will the gentleman yield?

Mr. McFADDEN. Yes.

Mr. ARENTZ. The gentleman refers to section 6, line 19, where these words occur:

Or by the deposit or pledge of debentures or such other obligations of Federal intermediate-credit banks which are eligible for purchase by Federal reserve banks under section 13 (a) of this act.

Mr. McFADDEN. I refer to the clause which amends section 13 of the Federal reserve act, which is as follows. It is short, and I shall read it for the information of the House. The present law reads as follows:

Any Federal reserve bank may make advances to its member banks on their promissory notes for a period of not exceeding 15 days at rates to be established by such Federal reserve banks, subject to the review and determination of the Federal Reserve Board, provided such promissory notes are secured by such notes, drafts, bills of exchange, or bankers' acceptances as are eligible for rediscount or for purchase by Federal reserve banks under the provisions of this act, or by the deposit or pledge of bonds or notes of the United States.

The proposed amendment adds the following language:

Or by the deposit or pledge of debentures or such other obligations of Federal intermediate-credit banks which are eligible for purchase by Federal reserve banks under section 13 (a) of this act.

To make it clear to you again, I have no objection to the Federal reserve buying as eligible these acceptances of the intermediate-credit banks. The thing I am objecting to is the placing of these debenture obligations issued by the 12 intermediate-credit banks as security for the note of member banks with the Federal reserve, which can be used as the basis for the issuance of Federal reserve notes.

Mr. BEEDY. Mr. Speaker, will the gentleman yield?

Mr. McFADDEN. Yes.

Mr. BEEDY. I wish the gentleman would explain to the House what difference, if any, there is between an intermediate-credit bank bond, the stock of which banks is owned by the Government of the United States, and a Government bond.

Mr. McFADDEN. The gentleman has explained that very clearly himself. They are intermediate debentures. Government bonds are Government bonds, direct borrowings of the United States.

Mr. BEEDY. And intermediate-credit bank bonds are Government bonds, are they not?

Mr. McFADDEN. No; they are not.

Mr. BEEDY. The Government owns all the stock of the bank.

Mr. McFADDEN. That is true.

Mr. BEEDY. What is the difference in the right to eligibility?

Mr. STAFFORD. And they do not bear the same price on the market at all.

Mr. BEEDY. I am not talking about the price. I am asking what the difference is between the securities.

Mr. CLARKE of New York. One is the parent and the other is the grandparent.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. McFADDEN. I yield.

Mr. CHINDBLOM. It seems apparent to me that the bonds of the intermediate credit banks are something entirely different from the capital stock of the intermediate-credit banks.

Mr. McFADDEN. The gentleman is entirely correct.

Mr. STRONG of Kansas. They are guaranteed by banks owned by the Government.

Mr. CHINDBLOM. I want to ask the gentleman this question: Would the gentleman be in favor of passing this bill if section 6 were omitted?

Mr. McFADDEN. I would say it would be less objectionable.

Mr. CHINDBLOM. Of course it can not be amended under suspension of the rules.

Mr. HART. Will the gentleman yield?

Mr. McFADDEN. I yield.

Mr. HART. Does this bill not broaden the class of paper which the Federal intermediate-credit banks may use?

Mr. McFADDEN. It broadens the class of paper which the Federal reserve can use.

Mr. HART. Title II of the Federal farm loan act does not empower the Federal intermediate-credit banks to accept drafts and bills of exchange. I understand this does.

Mr. McFADDEN. The Federal intermediate-credit system can do those things now. This gives them eligibility in the Federal reserve, and it also permits these debentures to be used when attached to member banks' 15-day notes, to be used as security back of Federal reserve note issues instead of gold or eligible paper as at present.

Mr. HART. This is encouraging the sale of shipping documents to the intermediate-credit banks in place of through the regular banking channels.

Mr. McFADDEN. I have no objection to that.

Mr. HART. That is what it does.

Mr. McFADDEN. My objection goes to the question of the security back of the Federal reserve issues.

Mr. GARBER. Will the gentleman yield?

Mr. McFADDEN. I yield.

Mr. GARBER. What are the restrictions upon the issuance of bonds by the intermediate-credit banks?

Mr. McFADDEN. They are issued with the approval of the board and of the Secretary of the Treasury.

Mr. PARSONS. Will the gentleman yield?

Mr. McFADDEN. I yield.

Mr. PARSONS. This does not make it mandatory upon this board to issue currency and use this as security—issue notes as security, with these debentures?

Mr. McFADDEN. It gives them the right to do it.

Mr. PARSONS. It gives them the right to do it. Does the gentleman think the Federal Reserve Board will engage in any of that practice?

Mr. McFADDEN. I will say to the gentleman, under the right given by the Glass-Steagall bill it was found necessary in Federal reserve operations last week to release \$97,000,000 worth of gold and substitute Government bonds back of Federal reserve notes. That apparently was made necessary because of the demands from abroad for the shipment of our gold abroad.

Mr. STEAGALL. Will the gentleman yield?

Mr. McFADDEN. I will say in that connection, in addition to that, the records show that France can still draw from her deposits in the United States, aside from the gold which may now be earmarked, \$500,000,000 more.

Mr. CELLER. Will the gentleman yield?

Mr. McFADDEN. I yield.

Mr. CELLER. I take it that the gentleman's objection is to the fact that we are increasing the base of nonliquid assets, as a basis for the issuance of the Federal reserve currency, in the sense that these debentures are not self-liquid. Would not that objection also hold on the Glass-Steagall provisions, which provide that these Government bonds may be used as a base?

Mr. McFADDEN. To that extent; but this is a different security than Government bonds.

Mr. CELLER. So that the gentleman's objection is that we further increase the nonliquidity of these bases for Federal reserve currency?

Mr. McFADDEN. Yes. I will say that the action on these two amendments, this one and the Steagall-Glass bill, is to repeal the liquidity provision of the Federal reserve act, the main thing that was the argument for the creation of the Federal reserve act—elasticity. Now, we are going back to the Government bond secured circulating medium, and in this instance we are substituting for the Government bond the bond of the intermediate-credit system.

Mr. CELLER. Would not the 15-day provision set up enough safeguards there, in the sense that the Federal reserve could only hold these for 15 days, and they would not be used as a basis for a currency issue?

Mr. McFADDEN. I think it is very questionable.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. McFADDEN. I yield.

Mr. CHINDBLOM. Of course, it is only 15-day paper, but if they are not taken up in 15 days they may not be renewed. There is nothing to compel the borrower to renew the paper, and the Federal Reserve Board will have it on its hands.

Mr. McFADDEN. The gentleman is quite correct.

Mr. CELLER. But it is not likely that the Federal reserve will use that as a basis for an issue of currency?

Mr. McFADDEN. It is an easing up on the security back of the Federal reserve currency issues.

Mr. STEAGALL. Will the gentleman yield?

Mr. McFADDEN. I yield.

Mr. STEAGALL. I am sure the gentleman does not wish to mislead the House. Surely the gentleman could not justify the statement that this bill seeks to substitute the debentures of intermediate-credit banks for Government bonds as the basis of note issue?

Mr. McFADDEN. No. I have not stated that.

Mr. STEAGALL. But a moment ago the gentleman did state that.

Mr. McFADDEN. I said it gave the right for the Federal reserve banks or board to use these as security for the issuance of Federal reserve notes in lieu of eligible paper or gold, just in the same manner that it permits them now to use Government securities and gold.

Mr. STEAGALL. Does the gentleman know how many obligations of the intermediate credit banks are outstanding to-day?

Mr. McFADDEN. I do not know the exact amount. Perhaps the gentleman can tell us.

Mr. STEAGALL. I will say that they now have \$141,000,000 worth of loans outstanding. The gentleman speaks of danger to the currency of this country by permitting a few million dollars of debentures of these banks to be used as basis for 15-day loans to member banks of the Federal reserve system—

Mr. McFADDEN. The gentleman can use some of his own time.

I also want to call attention to the fact that all of these newly created agencies, Government or otherwise, are now coming to the United States Treasury for help.

What does it resolve itself into? It means we are turning over to the Public Treasury of the United States the mistakes of bankers, the frozen assets in the banks, the slow assets, and the bad assets. And what are we doing? The Treasury of the United States is issuing Government tax-free bonds which are being bought by those people in the United States who are fortunate enough to have money.

What is going to be the ultimate result if we keep on? It means the Treasury of the United States is going to become the liquidating agent of the banks, the railroads, and business generally.

Here is one of the opportunities to call a halt on unsound legislation.

Mr. STEAGALL. Mr. Speaker, will the gentleman yield?

Mr. McFADDEN. The gentleman has time; why does he not use it?

Mr. WOODRUFF. Mr. Speaker, will the gentleman yield?

Mr. McFADDEN. I yield.

Mr. WOODRUFF. Am I correct in my understanding that when a loan is applied for to the intermediate-credit bank the applicant for the loan submits with his application his notes and warehouse receipts?

Mr. McFADDEN. Fifteen-day notes with warehouse receipts attached. I have no objection to the Federal reserve rediscounting that paper. I have objection to their using that paper as security for the issuance of Federal reserve notes.

Mr. WOODRUFF. All right. Am I also correct in assuming that when the intermediate-credit bank passes that loan on to the Federal reserve bank that the application carries with it the warehouse receipts?

Mr. McFADDEN. All of the papers.

Mr. WOODRUFF. All of the papers. Will the gentleman care to assume that the security back of this particular loan—

Mr. McFADDEN. If the gentleman will permit, these debentures of the intermediate-credit banks carry, of course, all of the security of the intermediate-credit system. Their debentures themselves would be attached to a 15-day note and would be subject to rediscount by a member bank and then subject to be put up as security back of the Federal reserve notes when so discounted.

Mr. WOODRUFF. Let me understand what the situation is. A member bank sends a commercial note through to the Federal reserve bank for rediscount. A merchant goes to his local bank, gives his note for a loan, and the banker passes it on by the Federal reserve bank, and upon that document currency is issued, is it not?

Mr. McFADDEN. On a 15-day note?

Mr. WOODRUFF. I am not speaking of a 15-day note. I am speaking of the average commercial transaction, which runs for three months.

Mr. McFADDEN. There is a distinction between the 15-day borrowings and the transactions the gentleman refers to.

Mr. WOODRUFF. I am trying to learn whether or not I should vote for this bill, and what I am trying to get at is this: Is not the security to the Federal reserve bank under the provisions of this bill just as good and just as safe as is

the ordinary commercial transaction that goes from the merchant through his member bank to the Federal reserve bank?

Mr. STRONG of Kansas. It is just as good.

Mr. McFADDEN. That is not the question.

Mr. WOODRUFF. It is better.

Mr. McFADDEN. It is a question of the placing of these intermediate-credit debentures, when discounted by a member bank, back of the Federal reserve note issues I am referring to.

Mr. WOODRUFF. Yes; but back of and with those debentures is the warehouse receipt given on necessities of life, actually in existence and which can be sold in the open market whenever the loan is in default. There can not be any better security for a loan, in my opinion.

Mr. McFADDEN. Mr. Speaker, I reserve the balance of my time.

Mr. STEAGALL. Mr. Speaker, I yield five minutes to the gentleman from Kansas [Mr. STRONG].

Mr. STRONG of Kansas. Mr. Speaker, this is an attempt to make it possible for the Federal reserve system to extend its powers of rediscount privileges to those besides the holders of Government bonds. The intermediate-credit banks are owned by the Government. The intermediate-credit banks lend money on cotton, wheat, and other agricultural products. Such commodities are often put in warehouses and warehouse receipts are given for them. Agricultural marketing associations borrow on them of the intermediate-credit banks. The intermediate-credit bank desires credit at low rates of interest, which is seldom obtainable except through the Federal reserve system. If this bill becomes law, they can take such paper secured by such warehouse receipts and by guaranteeing them to the Federal reserve system rediscount them and thus secure needed credit.

Now, my friends, there is no better security. It is just a question of whether you want to let somebody in this country get the privilege of the Federal reserve system besides the big bankers and their clients.

Mr. WOODRUFF. Mr. Speaker, will the gentleman yield?

Mr. STRONG of Kansas. I yield.

Mr. WOODRUFF. As a matter of fact, does not that constitute the finest security that could be offered to the Federal reserve bank?

Mr. STRONG of Kansas. Absolutely, because back of these warehouse receipts there is absolute property, protected and stored in these warehouses, with also the guaranty of these intermediate-credit banks that are owned by the Government.

Mr. McFADDEN. Will the gentleman yield?

Mr. STRONG of Kansas. Yes.

Mr. McFADDEN. The gentleman, I am sure, will recall that it was stated to the committee that the intermediate-credit banks were having difficulty in selling these bonds.

Mr. STRONG of Kansas. Of course; what institution is not? That is the reason we want to let them be so rediscounted. That is true.

Mr. McFADDEN. The gentleman has made a very important statement in that respect.

Mr. HART. Will the gentleman yield?

Mr. STRONG of Kansas. Yes.

Mr. HART. Suppose those documents represented 16-cent cotton?

Mr. STRONG of Kansas. Then they would put them up and probably borrow on its value plus the guaranty of the bank.

Mr. WOODRUFF. Will the gentleman yield?

Mr. STRONG of Kansas. Yes.

Mr. WOODRUFF. The market on cotton would not change very materially in 15 days, would it?

Mr. STRONG of Kansas. No; and the guaranty of these banks is behind all such transactions, and these banks are owned by the Government.

The Federal Reserve Board, the Farm Loan Board, and the intermediate-credit banks are all for this bill. Who is against it? My friend from Pennsylvania is talking as though he represents the Federal reserve banks and the

Federal Reserve Board, but he is not. They are in favor of this bill.

Mr. CELLER. Will the gentleman yield?

Mr. STRONG of Kansas. Yes.

Mr. CELLER. Are they in favor also of using those debentures and the notes appended to them as a basis for the issuance of Federal currency?

Mr. STRONG of Kansas. That is what this bill is for, and they are in favor of the bill.

Mr. HASTINGS. I wish the gentleman would make it clear that this bill has passed the Senate.

Mr. STRONG of Kansas. Oh, yes.

Mr. STEAGALL. It passed the Senate unanimously after full explanation.

Mr. STRONG of Kansas. Everybody is for this bill except my friend from Pennsylvania.

Mr. HASTINGS. I wanted it to appear that the Senate committee had examined this bill thoroughly and approved it.

Mr. STRONG of Kansas. Thank you; the Senate has done so.

Mr. RAMSEYER. Will the gentleman yield?

Mr. STRONG of Kansas. Yes.

Mr. RAMSEYER. The purpose of this bill is to help the intermediate-credit banks?

Mr. STRONG of Kansas. Certainly. It will enable them to rediscount their paper, which will help agriculture of all kinds. Why should we have a banking system in this country if it is not to extend credit based on and secured by food products?

Mr. RAMSEYER. This makes farm paper eligible for rediscount in the Federal reserve banks?

Mr. STRONG of Kansas. Absolutely.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. STRONG of Kansas. Yes.

Mr. CHINDBLOM. The discussion of this bill in the Senate on April 25 covers about one column on pages 9136 and 9137. The statements made by the Senator in charge of the bill agree entirely with the statements so far made by the gentleman from Kansas, and he added this:

The bill will result, if enacted, in a lowering of rates of interest—I can not tell the Senator the exact amount of saving in interest rates—but it will lower the cost of obtaining money.

Why will it lower the rates of interest?

Mr. STRONG of Kansas. Because they can rediscount their paper through the Federal reserve system to better advantage than at the banks. They will thus secure the same rediscounts that other lines of business and industry secure.

[Here the gavel fell.]

Mr. STEAGALL. Mr. Speaker, I yield five minutes to the gentleman from Massachusetts [Mr. LUCE].

Mr. LUCE. Mr. Speaker, this bill was put in the hands of the Senate chairman of the Committee on Banking and Currency by the Farm Loan Board. It was sent to the Secretary of the Treasury, who examined it, apparently with thoroughness, and a detailed discussion of it appears in the report accompanying the Senate bill. The Secretary concluded by saying:

The department recommends that the bill be enacted into law.

While part of his language has been incorporated in the House report, it is worth while to repeat about three sentences. Speaking of the securities of the intermediate-credit banks, he said:

These are high-grade investments, and member banks would purchase them in greater volume if they could be used as a basis for temporary credit with the Federal reserve bank in the event of some emergency or need for funds. It is believed they would not be used in this manner to any great extent, but the fact that they could be would be very valuable in the sale of debentures and would greatly facilitate the operations of the Federal intermediate-credit banks in extending credit to agriculture.

Mr. MORTON D. HULL. Will the gentleman yield?

Mr. LUCE. Yes.

Mr. MORTON D. HULL. Would not the same result be accomplished by increasing the capital of the intermediate-credit banks now owned by the Government?

Mr. LUCE. That is possible; but the financial agencies of the Government have recommended this way of proceeding.

Mr. SNELL. I understand the gentleman to say this had the unqualified approval of Secretary Mellon.

Mr. LUCE. He says:

The department recommends that the bill be enacted into law.
Respectfully,

A. W. MELLON,
Secretary of the Treasury.

Mr. CELLER. Will the gentleman yield?

Mr. LUCE. Yes.

Mr. CELLER. Will the gentleman explain briefly that section of the bill which provides that in the event there shall be an impairment of the paid-in capital of any Federal intermediate-credit bank, the Federal Farm Loan Board, at such time or times as it deems advisable, may determine and assess the amount thereof against the other Federal intermediate-credit banks.

Mr. LUCE. The same principle is applied in the structure of the Federal farm loan system, but the limitations of five minutes would not allow me to go beyond that statement.

Mr. VINSON of Kentucky. Will the gentleman yield?

Mr. LUCE. Yes.

Mr. VINSON of Kentucky. Is the question of the expansion of currency involved in section 6?

Mr. LUCE. It permits the same kind of expansion of currency that was contemplated by the Glass-Steagall bill, meeting the desires of the administration of our finance.

Now, Mr. Speaker, the only objection to this bill comes from our colleague from Pennsylvania. He has a perfect right to disagree with every financial officer of the Government, and it is his duty on this floor to present his views; but when we must choose between his theory of finance and that of those who for the moment are intrusted with the financial administration of this country, it seems to me wise and prudent to follow our financial officials, the Secretary of the Treasury and the boards with which he is associated.

Possibly my friend's theories of finance are correct, possibly he is justified in opposing everything that the administration is trying to do; but so long as we have this administration, so long as we are trusting the administration to carry us through this whirlpool of disaster, let us do what the administration says it is desirable to do. [Applause.]

Mr. STEAGALL. Mr. Speaker, I yield three minutes to the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Speaker, I shall support the measure not because this bill has been indorsed by the "greatest Secretary of the Treasury since Alexander Hamilton," ex-Secretary Andrew Mellon, who has left the country with a two and a half billion dollar deficit on its hands to join the nobility and the high financiers of Great Britain, but because I am hoping that the committee will bring in a bill that will authorize the rediscount of safe short-term municipal securities.

Mr. Speaker, ladies and gentlemen of the House, I regret exceedingly that I can not quite grasp the position or the arguments of the gentleman from Pennsylvania [Mr. McFadden], first, that the bill would aid the American bankers, and second, that it would cheapen the American dollar. Surely, he does not wish to have the House infer that his great friend, ex-Secretary Mellon, and his national and international banker friends and their representatives of the administration, are approving any legislation that would reduce or cheapen the gold dollar so much beloved by them. [Applause.]

And as to the Federal reserve crew, that is, I meant to say the Federal Reserve Board, the gentleman from Pennsylvania should not fear, and I know that I am not afraid, that the Federal Reserve Board will go too far in rediscounting any paper that would have a tendency to lower the value of the gold dollar or that would in any way cause the slightest inflation. The gentleman should know that the reverse of this is true. He should know that if the Federal Reserve Board had used its prerogatives under the power which it possessed of rediscounting finance corporation paper, as it should have done in the years of 1930 and

1931 to stimulate the credit of the business of the Nation, we would not be to-day in such serious and intolerable difficulties. I am not afraid that the Federal Reserve Board will go too far in rediscounting any paper. Gentlemen should realize that the Federal Reserve Board wants to have the dollar as high as possible.

Mr. McFADDEN. Will the gentleman yield?

Mr. SABATH. Yes.

Mr. McFADDEN. I am not objecting to the rediscounting of this paper. I am objecting to intermediate-credit bank debentures being placed back of the issue of Federal reserve notes.

Mr. SABATH. I am not afraid of that. The gentleman, who is as well informed as any man as to the policy of the Federal Reserve Board, understands the influence of its governor, Eugene Meyer, and understands that he, notwithstanding any act of Congress, will do nothing that would lower the value of the gold dollar. Not only do I not fear the effects of rediscounting the paper of the intermediate-credit banks, but, as I have stated before, I would look with favor upon any measure that would compel the Federal reserve banks to rediscount the securities of the municipalities and other good securities in order to expand the credit that is so greatly needed for the resumption of business.

It is my honest belief that by accepting such securities for rediscount to the extent of \$500,000,000 we would save the cities millions and millions of dollars which is being extracted from them by the high financiers in high interest rates. To-day many of the short-term municipality securities, including tax-anticipating assessment warrants, are being sold at more than 20 per cent below their face value; and therefore the cities are being foreclosed from proceeding with many of their much-needed improvements which would give employment to thousands now walking the streets. It would help reestablish credit and, to some extent at least, would help revive business. It would not be necessary for the cities to discharge their school teachers, firemen, and, in some cases, their policemen.

It would also enable them to provide for their needy unemployed citizens. I believe that this would be much more helpful and beneficial than the plan advocated by many others on the other side of the Capitol that the Government should feed and provide bread for the hungry, and I disagree with the gentleman from Idaho, Mr. BORAH, on the other side of the Capitol, when he asserted early this afternoon that the Government should directly aid the idle because the local officials could not be trusted.

I myself have much more confidence in the officials of our municipalities than I have in many of the bureau autocrats of the Federal Government, and therefore I shall continue to advocate not doles but loans to the municipalities to aid them in their efforts to take care of the unemployed, and I am satisfied that all such loans would be repaid.

I concede that the crisis and the conditions by which people have been thrown out of employment were due to the misrule of the Federal Government, but notwithstanding that fact, I feel that if temporary financial aid were given the majority of the municipalities would prefer that than any form of charity from the Federal Government. But that the unemployed must be taken care of and that the hungry must be fed are conditions that can not be evaded, and I appeal to you not to minimize the need and the danger in this regard.

Mr. STEAGALL. Mr. Speaker, I had forgotten for the moment my friend from Pennsylvania when I proceeded upon the idea that this would not involve the House in any considerable discussion or loss of time. Let me again assure the House that there are no jokers in this bill.

This is a measure fathered by the farm organizations of the country for the purpose of getting a little recognition through reduced interest rates for farmers who borrow of the intermediate-credit banks. These banks have now only something like \$150,000,000 of loans, and, of course, there can be no danger of loading down the Federal reserve system or degrading the currency of the country because of the small issue of notes that may be issued by Federal reserve

banks through the use of the obligations of intermediate-credit banks.

The notes would have back of them the obligations of the intermediate-credit banks. These obligations are now eligible for purchase by the Federal reserve banks. The notes which the intermediate-credit banks take are eligible for purchase and the notes securing the loans of the intermediate credit banks are eligible for discount by the Federal reserve banks. Each of the 12 intermediate-credit banks stands back of the obligations or debentures of the other 11 banks. As the gentleman pointed out, these debentures are better than the notes that are now made eligible for rediscount at Federal reserve banks. The institutions issuing them are controlled and supervised by the Government. There could never be any danger of fraud or unfair dealing. Their use is only permitted. Federal reserve banks would not be required to accept them. They could not be used in large amounts, and in all probability never would be—

The Treasury of the United States owns the stock of the 12 intermediate banks—\$30,000,000 of the stock is held to protect the securities of the intermediate-credit banks. There is no danger in that. The intermediate-credit banks have not come to unload any kind of securities that are undesirable, as suggested by my friend the gentleman from Pennsylvania [Mr. McFADDEN]. They are banks the stock in which is owned by the Treasury of the United States, and it is utterly without foundation to argue that institutions owned by the Government of the United States are trying to degrade the currency issued by the Federal reserve banks. Surely, Members of the House will not be influenced or frightened by such argument—

Mr. VINSON of Kentucky. Will the gentleman yield?

Mr. STEAGALL. I yield.

Mr. VINSON of Kentucky. Does the Secretary of the Treasury in any place in his letter indicate that the Federal reserve notes that may be issued on the debentures of the intermediate-credit banks would be designated as fiat money?

Mr. STEAGALL. No; it is no more fiat money than any currency that has been issued by the Federal reserve banks. The notes would be protected, not only by the security, the money in the Treasury to the credit of these banks, the capital of the banks, the assets of the 12 banks, but it must also be protected by 40 per cent gold, like the other currency issued by Federal reserve banks—

Mr. CELLER. Will the gentleman yield?

Mr. STEAGALL. I yield.

Mr. CELLER. Would it be possible that the Federal farm banks would ask for the same privilege as the intermediate-credit banks are asking?

Mr. STEAGALL. I will say that that is beside the question. It would not present a similar situation in any sense of the word. Such a proposal would not bear any legitimate relation to the proposal in this bill in so far as the merits of the legislation are concerned. But no such proposal has ever been made, nor will it ever be. The Federal land banks loan money upon real estate on long-time, amortized payments and are fundamentally different.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. STEAGALL. I yield to the gentleman from Illinois.

Mr. CHINDBLOM. The discussion in the Senate gives me the impression that the main benefit expected from this legislation was that the interest rate would be lowered.

Mr. STEAGALL. Absolutely. Would you not rather have these obligations held by the Federal reserve system, as collateral, than the junk gathered up from the four corners of the earth as they have been doing in recent years? [Applause.]

[Here the gavel fell.]

Mr. McFADDEN. Mr. Speaker, in the short time I have I want to make clear to the membership of the House that this provision of section 13 in the Federal reserve act, as now to be amended, allowing member banks to rediscount for a period of 15 days, provides that the security shall be debenture bonds.

We never have permitted this under the law heretofore, and it has been very much discussed; it is serving banks for

speculative purposes. Section 13, providing for 15 days' time, is where money is released for speculative purposes to the big banks. You are now going to permit member banks to borrow from the Federal reserve bank under this provision on their note for 15 days, secured by intermediate-credit bonds, and making these notes eligible as security in part back of Federal reserve notes. That is all I have to say about it.

The SPEAKER. All time has expired. The question is on suspending the rules and passing the bill.

The question was taken; and, in the opinion of the Chair, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

CLEARING TITLE TO CERTAIN LAND IN LENAWEE COUNTY, MICH.

The SPEAKER. The Chair is about to recognize the gentleman from Michigan, Mr. MICHENER, to ask unanimous consent for the consideration of a bill which has been drawn to his attention, which is represented to be and which the Chair believes to be of an emergency nature. That is the reason for recognizing the gentleman at this time.

Mr. MICHENER. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 4148) to permit the United States to be made a party defendant in certain cases, an identical House bill having been reported favorably by the Committee on the Judiciary of the House and now being on the calendar.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, I think we should have the full bill read, so that we may know what it is about.

The SPEAKER. Without objection, the Clerk will read the bill.

There was no objection, and the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the consent of the United States is given to be named a party in any suit which is now pending, or which may hereafter be brought in the courts of the State of Michigan having jurisdiction of the subject matter, for the purpose of clearing the title to, and removing liens from, all those pieces or parcels of land situate and being in the county of Lenawee and State of Michigan, described as follows, to wit:

The west half northwest quarter section 35, township 5 south, range 4 east, containing 80 acres of land, be the same more or less. Also that tract beginning at the northwest corner of Maumee and Boughton Streets in the village of Tecumseh, thence along the west line of said Maumee Street north to the corner of Lave Baxter, Jr.'s land, thence west along said Baxter's land to the mill pond, thence southwardly along the east side of said mill pond to said Boughton Street, thence along the north line of said Boughton Street to the place of beginning, containing about 30 acres of land, be the same more or less. Also village lot 130; and also that tract of land beginning at the southwest corner of said village lot 130 and on the east line of Mill Street; thence along the east line of said last-mentioned street, southwardly to the line between village lots 126 and 127, thence along the said line last mentioned eastwardly to the east line of said lots; thence eastwardly to the line between village lots 139 and 140; thence along said lots to Maumee Street; thence north along the west line of said street to the line between village lots 133 and 134; thence along the south line of said lot 133 and of lots 132, 131, and 130 to the place of beginning, containing about 10 acres of land, be the same more or less.

SEC. 2. Service upon the United States shall be made by serving the process of the court, with a copy of the bill of complaint, upon the United States attorney for the eastern district of Michigan, and by sending copies of the process and bill, by registered mail, to the Attorney General of the United States, at Washington, D. C. The United States shall have 30 days after service as above provided, or such further time as the court may allow, within which to appear and answer, disclaim, plead, or demur.

SEC. 3. The final judgment or decree of the court in any suit brought under this act shall have the same effect respecting the discharge of a purported mortgage given by Joseph W. Brown and Cornelia T. Brown, his wife, of the first part, to United States of America of the second part, dated November 21, 1835, and recorded on December 30, 1835, in the register of deeds' office of Lenawee County, Mich., in Liber B of Mortgages, at page 447, as may be provided with respect to such matters by the law of the State of Michigan.

SEC. 4. No judgment for costs or other money judgment shall be rendered against the United States in any suit or proceeding which may be brought under the provisions of this act. Nor shall the United States be or become liable for the payment of the costs of any such suit or proceeding or any part thereof.

Mr. MICHENER. Mr. Speaker, in 1835, practically 100 years ago, a justice of the peace in the State of Michigan for some unknown cause drew a mortgage running from Joseph W. Brown and wife to the United States of America in the sum of \$2,000. That mortgage was placed of record in the county register of deeds' office and it has been there ever since. A search has been made to find why it was placed there. An inquiry has been made of the several departments. A search has been made of the district attorney's office in the eastern district of Michigan, where any proceeding would be found affecting the land. As stated in the report, no facts can be ascertained as to who gave the mortgage or why. The presumption is that a country justice of the peace—and you gentlemen from the city do not appreciate just what that means—at that time, 100 years ago, probably wanted to secure somebody or some part of the Government for a payment for something, and took a mortgage on a farm and recorded it, and it has been forgotten ever since. It has no force or effect. The United States Government makes no claim. I took the matter up with the Attorney General to be sure. There is no way whereby that cloud may be removed from that land except by congressional legislation. There are two methods. Congress may pass a bill directing the Treasurer of the United States to execute a discharge of the mortgage. I did not pursue that course because by doing so the Congress would be discharging an obligation without investigation. This bill follows a similar bill passed in the last session at the instance of the gentleman from South Carolina [Mr. DOMINICK], who had a somewhat similar proposition. It simply provides that in the State court, where a suit is now pending to clear the title to this property, a State process may be served upon the district attorney, and also upon the Attorney General of the United States, and those officials may then plead as they see fit. The local court may then proceed to judgment the same as it does in ordinary cases in which it has jurisdiction.

Mr. DYER. Mr. Speaker, if the gentleman will permit, I suggest that he is taking more time than the bill is worth.

Mr. MICHENER. The gentleman from Michigan does not want to consume the time of the House. He knows that this is a meritorious bill, the purpose of which is to remove a cloud from the title to land. That there is no other method whereby this cloud may be removed. That the United States Government has no pecuniary interest in the subject matter, and it is regrettable that this course is necessary and that the time of the Congress must be consumed in this way, and if the House desires no further information, and if there is no objection to the consideration of the bill, the gentleman from Michigan is pleased and will not indulge in further explanation.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table. A similar House bill (H. R. 10625) was laid on the table.

The SPEAKER. Without objection, the bill H. R. 8931 will be laid on the table, a similar bill having been passed this afternoon.

POLITICS AND THE POST OFFICE

Mr. FULBRIGHT. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, is the House going to return to the Consent Calendar this afternoon?

The SPEAKER. The Chair thinks not. It is late in the afternoon, and two or three gentlemen have spoken to the Chair about addressing the House for a few minutes. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. FULBRIGHT. Mr. Speaker, last Saturday in Springfield, Mo., a convention of the postmasters of my State was assembled. At that convention an official representative of the administration was present and addressed the convention. If the Associated Press carries a correct report of what he said, then certain statements were made that ought to command the attention of every thoughtful, patriotic citizen of the country, as well as their condemnation.

Mr. SABATH. Mr. Speaker, will the gentleman yield and give us the name and title of that gentleman?

Mr. FULBRIGHT. I propose to do it in the course of my remarks. From the Washington Star, carrying Associated Press dispatches, I read the following:

[Washington Star, Sunday, May 15]

GLOVER WARNS POSTMASTERS TO BECOME HOOVER BOOSTERS—GLAD TO TAKE RESIGNATIONS OF THOSE WHO BALK AT TAKING A HAND—"FILLING JOB" IF THEY DEFEND AND SUPPORT PRESIDENT, MISSOURIANS TOLD

SPRINGFIELD, Mo., May 14.—Urging Missouri postmasters to defend and support Herbert Hoover, W. Irving Glover, Second Assistant Postmaster General, told the Postmasters' State convention here to-day that "as long as you do that, you are filling the job of postmaster."

"You are a part of this administration," he said. "It is best for us to get out on the firing line. I shall be back in Washington Monday, and I will be glad to take the resignations of any of you postmasters who do not want to do it."

[Applause.]

The gentlemen on the Republican side who are cheering are perhaps just as much responsible for that statement as was the Second Assistant Postmaster General. [Applause.]

If that statement is true, and was made without the knowledge of the President, then it is the duty of the President of the United States to remove Mr. Glover from office. [Applause.] I say further, that if that statement was made with the knowledge and approval of the President of the United States, the conduct of the President is more reprehensible than that of the man who gave utterance to the statement. [Applause.]

If this statement was made with the approval of the President of the United States, it means that indirectly he is willing that his campaign be financed out of the Treasury of the United States and at the expense of the overburdened taxpayers of the country. This, of course, is entirely in keeping with the President's brand of economy. [Applause.]

If that statement be true, it means that the President intends to create out of the Post Office Department a political machine to advance his own particular interests as a candidate. If that be true, he expects those men from now until the November election to devote their time to political purposes instead of serving the people by whom they are paid. [Applause.]

The gentlemen who are applauding on the Republican side of the House sat mute when the President's political message was read a few days ago, which condemned them in just about as strong terms as I am condemning him. [Applause and laughter.] The righteous wrath of an indignant people will mete out the proper condemnation and punishment to those who would prostitute the welfare of the country for political gain. [Applause.]

The SPEAKER. The time of the gentleman from Missouri has expired.

Mr. FULBRIGHT. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. WILLIAMSON. Mr. Speaker, I object.

GRASSHOPPER CONTROL

Mr. BURTNESS. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

Mr. GREEN. Mr. Speaker, reserving the right to object, and I shall not object, we should have considered the bill and should consider reimbursement.

Mr. SCHAFER. Mr. Speaker, I demand the regular order.

The SPEAKER. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. BURTNESS. Mr. Speaker, I have asked for this time at the suggestion of a number of the Members from the eight States which were tremendously interested in the proposal to appropriate \$1,000,000 for grasshopper control, which the House refused to give consideration to this afternoon by a vote of 137 to 99.

Before making a few comments with reference to it, I want to take the opportunity on behalf of the membership from those States to thank the Speaker of the House [Mr. GARNER] for the consideration which he gave to us, and the fact that he exercised the somewhat unusual prerogative of giving us the opportunity to attempt to suspend the rules and pass the resolution that was involved. We are indebted to him for his fairness and sympathetic consideration.

We are tremendously disappointed in the result; we feel we have been unjustly treated. I would not be here speaking to you now if I did not firmly believe that many voted against the consideration of the resolution upon the theory that the danger alleged to be confronting those eight States is more or less of a joke. I say with all the earnestness that I possess that it is no joke but actually a menacing and tragic calamity. If any of you have seen the pictures that were taken last year when the migration of the grasshoppers came across the plains and wiped out every spear of green grass and other vegetation that existed, over broad areas, and left little or nothing but the rails and ties along the railroad tracks, you would realize that it is no joke, either to the farmers who are living there or to the business men in the towns, who are dependent upon the welfare of the farmers.

Neither is it a small matter or a joke to the industrial interests of this great country. I call attention to the fact that the demand for legislation of the kind which we brought here this afternoon has come more from the metropolitan newspapers of large centers like Minneapolis and St. Paul than from individual farmers or the small newspaper in the country districts, because the editors in those centers, business men, wholesalers, bankers, and other of such cities as Minneapolis and St. Paul, even those of the cities of Milwaukee and Chicago, realize that unless some crops are raised out in that section they are not going to be able to collect their bills from local merchants and implement dealers. Even the city of New York depends in large part on the buying power of agriculture in the Great Plains States.

I was surprised and astonished at the fact that the chairman of the great Appropriations Committee of this House, who comes from a section where much Federal aid has been given in years past to control agricultural pests which infest his territory from time to time, should assume leadership of the opposition and bring into play the power and influence of his high office to refuse to consider a second as being consented to, and compel the membership of the House to vote upon the question as to whether or not there should be consideration for it. Did he fear the strength of our case? Is he unwilling to listen to our prayer for relief? I was also surprised at the membership of a great many other States that have benefited from time to time from appropriations of that sort, for the protection of their people, walking between the tellers in the belief that it was a joke, but walking between the tellers in such a way as to result in preventing consideration of the matter. I tell you, gentleman, that was neither fair nor just.

The SPEAKER. The time of the gentleman from North Dakota has expired.

Mr. WILLIAMSON. Mr. Speaker, I ask unanimous consent that the gentleman be allowed to proceed for five additional minutes.

Mr. KENNEDY. Mr. Speaker, I object.

Mr. BURTNESS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks, to include some figures or tabulations with reference to appropriations for a number of items, such as the Japanese beetle, the gypsy moth, the

European corn borer, and items of that sort which I regard as similar in principle.

The SPEAKER. Is there objection to the request of the gentleman from North Dakota?

Mr. COCHRAN of Missouri. Mr. Speaker, reserving the right to object, I would like to know what it is the gentleman desires to put in the RECORD.

Mr. BURTNESS. Merely some figures with reference to other appropriations that have been made from time to time which I regard as precedents.

Mr. COCHRAN of Missouri. I certainly do not propose to object to anything the gentleman wants to put in, but I call the gentleman's attention to the fact that half a dozen Members objected when the gentleman from Missouri [Mr. FULBRIGHT] asked permission to extend his remarks upon the conclusion of his speech. Mr. Speaker, I withdraw my objection.

Mr. BURTNESS. We would not ask for this if we were not confronted with a serious emergency situation. The unprecedented drought of the past two years destroyed most of our crops. The dry weather did more than that. It resulted in a tremendous increase in grasshoppers last year. The grasshoppers laid their eggs by the billions! As much as 12,000 eggs have been found in 1 square foot of soil. Just think what that means. Entomologists say that at least 90 per cent of the eggs came through the winter in a fertile condition. The gentleman from South Dakota [Mr. CHRISTOPHERSON] has shown many of you the eggs and young hoppers in a handful of dirt sent to him from that State. A similar experiment was conducted by Mr. J. G. Haney, of Grand Forks, N. Dak., who is in charge of the experimental stations of the International Harvester Co. in the Northwest. He placed some dirt taken from near a fence row in a jar and connected that jar in turn with one in which he placed some green grass and left it in his office. In a short time the grasshoppers hatched out and soon went into the next jar and began to eat. I have no idea how many there were, but the two jars finally became practically filled with hoppers.

I am reliably informed of another incident in my State which would be amusing were it not so tragic in its possibilities with reference to our crops. A number of stumps were dug up and split and thrown into the basement with a view of using them later for firewood. In a couple of weeks when the owner had occasion to go to the basement, he found it swarming with young hoppers. Obviously the dirt still clinging to the stumps had been full of eggs laid there last fall.

Not only are the farmers and business men throughout the country tremendously interested in protecting the crops that we hope to raise in these States but the Government itself is directly interested therein. I refer, of course, to the fact that the Government in the making of seed loans in former years and crop-production loans this year has taken crop mortgages for the amounts so loaned. The Government has something like \$36,000,000 invested in such loans in the infested States at this time, and its only security is a chattel mortgage upon the crops, coupled, of course, with the individual responsibility of the borrower who signed the notes.

We talk these days about economy and I yield to no one in my desire to reduce expenditures and to balance the Budget. I contend, however, that it would be economy for the Government to grant this appropriation and thus in a practical way protect and safeguard the security which it now has upon the crops to be grown this season. The Government has credit; the individual farmers have none. The States have no funds available. The time is too short to call special sessions of the legislature to provide for the issuance of bonds even in those few cases where that would be permitted under the State constitution. It would also be a very expensive procedure. Some counties could raise the funds, but a majority thereof can not do so, for they

have had no crops for two years and a large amount of taxes due them can not be collected. You can appreciate the additional poor relief that such counties have had to expend, particularly during the last year.

In our emergency, therefore, we have asked the Government to help out, and it alone can head an organization which will make eradication efforts effective. Piece-meal work by scattered counties will not do the job and would result in much waste of effort.

When we were before the Agricultural Committee, some of the members asked about State cooperation. Just now we can not furnish such cooperation by contributing 50 per cent or some other percentage for the payment of the ingredients, but we do propose to cooperate in a very practical way, and our expense in so doing will be reasonably commensurate with what we are asking the Government to furnish. Our counties and other municipalities will take full charge and pay for all expenses involved in mixing the bran, molasses, banana oil, arsenic, or other ingredients, so that the work will be done properly. Most of this will be under the direction of the county agents. Each State has organized for that portion of the job. The farmers themselves will go to the mixing points, which in most cases will probably be at the county-seat towns, and obtain the mixture. The work of spreading the poison will be done by the farmers, and from personal experience I know that it is quite some job. It is impossible to estimate the total expense of all this work, but, as already stated, it will amount to a large sum and, in my judgment, be fairly commensurate with the contribution of the Federal Government.

If the Members of the House do not change their attitude expressed by their vote this afternoon, there will be some of us who will adopt a different position with reference to items carried in the appropriation bill for the Department of Agriculture next December. We will be forced to be here to object to further expenditures for the European corn borer which presumably has meant considerable to States like Ohio, Michigan, Pennsylvania, Indiana, and New York. We will be compelled to oppose expenditures for the pink bollworm in which the cotton States are interested. We will not be kindly disposed to further expenditures to eradicate the gypsy moth in New England, New Jersey, and New York; the Japanese beetle in Pennsylvania, Maryland, Virginia, Massachusetts, Connecticut, Rhode Island, New York, and the District of Columbia, or the phony-peach eradication work in Georgia, Alabama, and other States. On principle this work is identical to that which we have now asked for.

In the matter of tick eradication, causing so-called tick or Texas fever, the Government has spent \$11,700,000 during the last 26 years. Large expenditures have also been incurred in the eradication of foot-and-mouth disease wherever same has occurred. This money has been expended in the States of you men from the South, and you can well imagine our disappointment when we saw you a few minutes ago vote against consideration of the resolution in which we are so much interested. The prosperity of our country as a whole depends upon the prosperity of each and every section thereof. Our interests are mutual, and we should be treated alike by the Federal Government.

I append hereto a tabulation showing appropriations made in recent years for various purposes, and I ask the membership of the House to ask themselves the question whether, in view of all the precedents, it is now fair or just to deny the modest request which we are making when we are confronted with a most serious emergency.

We hope to have an opportunity to bring the item before you again at an early date, and I feel that it will then be approved by a substantial majority. This will probably come on a vote to agree to the Senate amendment on the annual agricultural appropriation bill. Such amendment has already been approved by the House conferees, but as it is new legislation they must bring it to the House for a separate vote.

Plant quarantine and control administration—Certain appropriations for eradication and control of insect pests

	Fiscal year	Amount
European corn borer:		
For special clean-up campaign in Ohio, Michigan, Pennsylvania, Indiana, and New York	1927	\$10,000,000
For control and prevention of spread	1920-1932	8,000,000
Total		18,000,000
Pink bollworm:		
For special clean-up campaign, including compensation for noncotton zones in Texas and Arizona	1923	200,000
For special clean-up campaign, including compensation for noncotton zones in Texas only (appropriated but not expended)	1928	5,000,000
For special clean-up campaign in Arizona	1930	587,500
Compensation for losses, nonproduction of cotton, noncotton zone in Arizona	1931	675,000
For prevention of spread of pink bollworm	1917-1932	6,872,500
Total		13,335,000
Research	1929-1932	142,280
Thurberia cotton weevil: Control and prevention of spread in Arizona	1928-1932	170,263
Mediterranean fruit fly:		
Eradication in Florida	1929-30	4,250,000
Do	1930	1,290,000
Do	1931	1,740,000
Total		7,280,000
Research	1931-32	467,205
Gypsy moth: Control and prevention of spread in New England, New Jersey, and New York	1910-1932	10,634,015
Japanese and Asiatic beetles: Control and prevention of spread in New Jersey, Pennsylvania, Maryland, Massachusetts, Connecticut, Rhode Island, New York, District of Columbia, and Virginia		4,500,000
Date scale: Eradication and control in California and Arizona	1921-1932	412,600
Mexican fruit worm:		
Eradication and preventing of spread in Texas	1928-1932	456,103
Research	1928-1932	175,865
Total		631,968
Citrus canker eradication:		
Georgia, Florida, Alabama, Mississippi, Louisiana, and Texas (eradication work finished in Georgia in 1917)	1915	35,000
Do	1916	1,300,000
Do	1917	250,000
Do	1918	1,180,000
Do	1918	250,000
Do	1919	250,000
Do	1920	196,320
Do	1921	109,720
Do	1922-1932	684,540
Total		2,255,580
White-pine blister rust:		
For control work in California and Pacific Northwest	1916-17	120,000
Do	1918-1932	5,148,175
Total		5,168,175
Sugar-beet leaf hopper:		
Control of leaf hopper disease on sugar beets and various truck crops	1929	14,100
Do	1930	215,900
Do	1931	215,900
Do	1932	215,900
Total		661,800
Phony-peach eradication: Eradication work authorized for Georgia, and Alabama, and scout work in various other States	1930-1932	283,011
Barberry eradication: Eradication work in the 13 barberry States (Colorado, Illinois, Indiana, Iowa, Michigan, Minnesota, Montana, Nebraska, North Dakota, Ohio, South Dakota, Wisconsin, and Wyoming)	1918-1932	4,385,036
Foot-and-mouth disease:		
Eradication of foot-and-mouth disease wherever it occurred; last important outbreaks—		
California	1924-25	3,041,442
Texas	1924-25	726,062

¹ Deficiency.

Tick eradication: Eradication of tick causing so-called tick (or Texas) fever in cattle from Southern States: Work begun in 1906 and continued to date. Approximate average annual expenditure, \$450,000; 26 years (1906-1932), \$11,700,000.

Mr. NELSON, of Missouri. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. NELSON of Missouri. Mr. Speaker, "As long as you do that, you are filling the job of postmaster." According to an Associated Press dispatch, this statement was made

to a State convention of postmasters at Springfield, Mo., the speaker being W. Irving Glover, Second Assistant Postmaster General, after he had urged postmasters to defend and support Herbert Hoover. "You are a part of this administration," the dispatch quotes Mr. Glover as saying; "it is best for us to get out on the firing line. I shall be back in Washington Monday and I will be glad to take the resignation of any of you postmasters who do not want to do it."

Comment upon the preceding statement from a member of the Hoover administration, and at a time when the President has been represented by his press agents as having put politics aside, should not be necessary. So putrid with politics is the Glover statement that it stinks for itself. It is offensive to the nostrils of every fair and decent man or woman and deserves the censure which it must everywhere receive.

Think of it! Think of a high public official advising those in places of trust and responsibility that as long as they are supporting Herbert Hoover, they are "filling the job of postmaster." Surely this is a new and strange standard of efficiency. If the President does not severely reprimand a representative of his administration for such talk, and especially at such a time of stress as this, or if he does not actually demand his resignation, the American people, regardless of party, will be grievously disappointed.

I can not imagine the Republican postmasters in the district which I have the honor to represent doing the bidding of such a boss; nor will there be one who will send in his resignation because of his refusal to play politics instead of looking after the duties of his office. Take my home city, Columbia, Mo., for instance. In my greatest flight of imagination I can not picture Postmaster Frederick W. Niedermeyer standing in the lobby meeting men and women who come for their mail and telling them that he hopes they are for Hoover, and saying to them, in the words of Mr. Glover:

We have got a leader. We have had one for years. If we do not stand back of that man Hoover, regardless of party, God help this country!

Think what the effect would be as soon as the new letter postage becomes effective should this same postmaster say to the farm woman who comes to exchange the price of a dozen eggs for two postage stamps when told, "By all means you should support Mr. Hoover." Figure how it would work with the farmer when handed an envelope containing a check for a shipment of hogs which had netted only about 2½ cents per pound to be admonished that he must "stand by Mr. Hoover." And let us not forget the unemployed man who comes for a letter in reply to one written in the hope of securing work elsewhere when, upon receiving the stereotyped reply that the company was letting off men rather than taking on others, he is called aside and advised, "Keep on voting for Candidate Hoover."

Surely these are strange days. Not so long ago postmasters were admonished against political activity. Now they are told that it is best to "get out on the firing line" for Hoover, and are warned that if they do not do so their resignations will be accepted. Think of a high official threatening postmasters with the loss of their jobs, and at a time when with millions of men and women out of work a job is a job, if they refuse to do his political bidding. As the New York Times commented, when the Postmaster General announced that it was Mr. Hoover's intention to seek renomination, "The mask comes off the political-patronage machine."

As is clear to all thinking people, the Second Assistant Postmaster General has violated the most common rules of good principle, and even of good politics. The speech will not soon be forgiven nor forgotten. It marks a low and unworthy effort on the part of one who has discredited his official position.

Mr. DYER. Mr. Speaker, I ask unanimous consent to proceed for two minutes?

The SPEAKER. Is there objection?

There was no objection.

Mr. DYER. Mr. Speaker, I only want to make a statement in answer to the statement made by my colleague from Missouri in reference to a speech of the Assistant Postmaster General at Springfield, Mo., some days ago. I have just called the Assistant Postmaster General and talked with him personally. He told me that he made no statement urging the postmasters to get behind Mr. Hoover to help him be reelected to the presidency. All that he said was that it is the duty of every American citizen, be he Republican or Democrat, to support the President in these trying times and help us get through this perilous condition.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. PRALL, indefinitely, on account of illness.

SENATE JOINT RESOLUTION REFERRED

A joint resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. J. Res. 149. Joint resolution making funds available for grasshopper control; to the Committee on Appropriations.

ADJOURNMENT

Mr. WARREN. Mr. Speaker, I move the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 27 minutes, p. m.) the House adjourned until to-morrow, Tuesday, May 17, 1932, at 12 o'clock noon.

COMMITTEE HEARINGS

Tentative list of committee hearings scheduled for Tuesday, May 17, 1932, as reported to the floor leader by clerks of the several committees:

WAYS AND MEANS

(10 a. m.)

Hearings—depreciated currency bills.

PATENTS

(10 a. m.)

Hearings—general revision of design copyright law.

PUBLIC LANDS

(10.30 a. m.)

Hearings—grazing bills.

RIVERS AND HARBORS

(10.30 a. m.)

Hearings—South Carolina and Monroe Harbor, Mich., projects.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

574. A letter from the acting chairman of United States Tariff Commission, transmitting a second supplement to the material sent to the Senate on May 2 and May 9 showing the effects of depreciated currencies on the import trade of the United States; to the Committee on Ways and Means.

575. A letter from the Secretary of War, transmitting a report dated May 12, 1932, from the Chief of Engineers, United States Army, on preliminary examination and survey of Houston ship channel; to the Committee on Rivers and Harbors.

576. A letter from the Secretary of War, transmitting a report dated May 13, 1932, from the Chief of Engineers, United States Army, on preliminary examination and survey of Sabine-Neches Waterway, Tex.; to the Committee on Rivers and Harbors.

577. A communication from the President of the United States, transmitting for the consideration of Congress supplemental estimates of appropriations for the fiscal years ending June 30, 1931 and 1932, for the Veterans' Administration, as follows: Army and Navy pensions, \$12,750,000;

military and naval insurance, \$4,233,000; and State and Territorial homes for disabled soldiers and sailors, \$98,280, all pertaining to the fiscal year 1932; and \$25,480 for State and Territorial homes for disabled soldiers and sailors, fiscal year 1931 (H. Doc. No. 336); to the Committee on Appropriations and ordered to be printed.

578. A communication from the President of the United States, transmitting for the consideration of Congress a supplemental estimate of appropriation for the Department of Labor, salaries and expenses, Bureau of Immigration, for the fiscal year 1932 (H. Doc. No. 337); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. GREEN: Joint Committee on the Disposition of Useless Executive Papers. A report on the disposition of useless papers in the Department of the Interior (Rept. No. 1321). Ordered to be printed.

Mr. PEAVEY: Committee on Indian Affairs. H. R. 127. A bill to amend an act approved May 14, 1926 (44 Stat. 555), entitled "An act authorizing the Chippewa Indians of Minnesota to submit claims to the Court of Claims"; with amendment (Rept. No. 1325). Referred to the Committee of the Whole House on the state of the Union.

Mr. PITTINGER: Committee on Claims. H. R. 8374. A bill to authorize the settlement, allowance, and payment of certain claims, and for other purposes; with amendment (Rept. No. 1326). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. MARTIN of Oregon: Committee on War Claims. H. R. 5140. A bill for the relief of the estate of John T. Lynch, deceased; without amendment (Rept. No. 1322). Referred to the Committee of the Whole House.

Mr. CAVICCHIA: Committee on War Claims. H. R. 5361. A bill for the relief of the Fred G. Clark Co.; without amendment (Rept. No. 1323). Referred to the Committee of the Whole House.

Mr. CLARK of North Carolina: Committee on Claims. H. R. 11194. A bill for the relief of Lizzie Pittman; with amendment (Rept. No. 1324). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. SIROVICH: A bill (H. R. 12094) to amend and consolidate the acts respecting copyright and to codify and amend common-law rights of authors in their writings; to the Committee on Patents.

By Mr. HOWARD: A bill (H. R. 12095) providing for the service of process in actions involving Indian affairs instituted in the courts of the United States; to the Committee on Indian Affairs.

By Mrs. NORTON: A bill (H. R. 12096) to authorize the closing of certain streets in the District of Columbia rendered useless or unnecessary, and for other purposes; to the Committee on the District of Columbia.

By Mr. BLACK: A bill (H. R. 12097) for the relief of distress due to unemployment, to create a committee for Federal, State, and local cooperation in placing qualified unemployed persons on unoccupied farms for the purpose of growing subsistence food crops during the continuance of the unemployment emergency; to the Committee on Labor.

By Mr. HAWLEY: A bill (H. R. 12098) providing for construction of south jetty, Umpqua River; to the Committee on Rivers and Harbors.

By Mr. BYRNS: A bill (H. R. 12099) to authorize the design, construction, and procurement of one detachable-

combination aircraft suitable for transport purposes for the Army Air Corps; to the Committee on Military Affairs.

By Mr. CROSS (by request): A bill (H. R. 12100) to amend the organic act of Porto Rico, approved March 2, 1917, providing for equal protection to voters on all election boards; to the Committee on Insular Affairs.

By Mr. SABATH: Resolution (H. Res. 226) investigating the expenditures of the Post Office Department; to the Committee on Rules.

By Mr. PETTENGILL: Joint resolution (H. J. Res. 387) directing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. ANDREWS of New York: Joint resolution (H. J. Res. 388) creating a joint congressional committee to discuss with a legislative committee of the State of New York the subject matter of the transfer of the control of the management, operation, and improvement of the barge canals of the State of New York to the Federal Government, and for other purposes; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CARY: A bill (H. R. 12101) granting a pension to Otilie Freidrich; to the Committee on Invalid Pensions.

By Mr. COCHRAN of Pennsylvania: A bill (H. R. 12102) granting a pension to Ellen Sexton; to the Committee on Pensions.

By Mr. CRAIL: A bill (H. R. 12103) for the relief of Edward W. Easton; to the Committee on Naval Affairs.

By Mr. CROSS: A bill (H. R. 12104) granting a pension to William Porter Bible; to the Committee on Pensions.

By Mr. DAVENPORT: A bill (H. R. 12105) for the relief of Harriet V. Schindler; to the Committee on Claims.

By Mr. DAVIS: A bill (H. R. 12106) granting an increase of pension to Delia Honey; to the Committee on Invalid Pensions.

By Mr. DIES: A bill (H. R. 12107) granting a pension to Susan Jane Perego; to the Committee on Invalid Pensions.

By Mr. FINLEY: A bill (H. R. 12108) granting a pension to William J. Disney; to the Committee on Pensions.

By Mrs. KAHN: A bill (H. R. 12109) for the relief of Lilly Bundgard and Gloria Bundgard; to the Committee on Claims.

Also, a bill (H. R. 12110) for the relief of W. P. Fuller & Co.; to the Committee on Claims.

By Mr. KENNEDY: A bill (H. R. 12111) for the relief of Edward C. Little; to the Committee on Naval Affairs.

By Mr. KVALE: A bill (H. R. 12112) granting a pension to Mary C. Miller; to the Committee on Invalid Pensions.

By Mr. LICHTENWALNER: A bill (H. R. 12113) for the relief of Franklin Lewis Woodruff; to the Committee on Naval Affairs.

By Mr. MCCLINTOCK of Ohio: A bill (H. R. 12114) granting an increase of pension to Rachel Ann Barr; to the Committee on Invalid Pensions.

By Mrs. NORTON: A bill (H. R. 12115) to authorize the Philadelphia, Baltimore & Washington Railroad Co. to extend its present track connection with the United States navy yard so as to provide adequate railroad facilities in connection with the development of Buzzards Point as an industrial area in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. PALMISANO: A bill (H. R. 12116) granting a pension to Annie Murray; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12117) for the relief of Annie I. Hissey; to the Committee on Claims.

By Mr. RAMSEYER: A bill (H. R. 12118) granting an increase of pension to William D. Wheaton; to the Committee on Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 12119) granting a pension to Charles Wolf; to the Committee on Pensions.

By Mr. SPENCE: A bill (H. R. 12120) granting an increase of pension to Catherine J. Cummings; to the Committee on Invalid Pensions.

By Mr. STRONG of Pennsylvania: A bill (H. R. 12121) for the relief of William Conner Erdice; to the Committee on War Claims.

By Mr. SWING: A bill (H. R. 12122) granting a pension to Deborah Hacklander; to the Committee on Pensions.

By Mr. TIERNEY: A bill (H. R. 12123) for the reinstatement of Warren F. Porter in the United States Navy; to the Committee on Naval Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

7760. By Mr. BOYLAN: Letter from the New York State Credit Union League, New York City, N. Y., favoring Senate bill 1153, which will permit the organization of credit unions in the District of Columbia; to the Committee on the District of Columbia.

7761. Also, resolution unanimously adopted by the New York Chapter of the Knights of Columbus, New York City, favoring the amendment of the resolution introduced by Congressman LICHTENWALNER concerning recognition of military status of persons who honorably served with the American Red Cross and kindred American organizations with the United States forces, and for other purposes; to the Committee on Military Affairs.

7762. By Mr. CONDON (by request): Petition of Robert Stewart and 25 other citizens of Rhode Island, opposing repeal, resubmission, or modification of the eighteenth amendment; to the Committee on the Judiciary.

7763. By Mr. DARROW: Resolution of the Vessel Owners and Captains' Association of Philadelphia, Pa., regarding the proposal to consolidate and coordinate the United States Steamboat Inspection Service and the Bureau of Navigation; to the Committee on Interstate and Foreign Commerce.

7764. By Mr. DAVENPORT: Petition of Mrs. A. Gulton, 154 Grove Place, Utica, N. Y., and 35 other citizens of Utica, protesting against compulsory Sunday observance; to the Committee on the District of Columbia.

7765. By Mr. FIESINGER: Resolution adopted by the honorable council of the village of Berlin Heights, Ohio, favoring the regulation of busses and trucks on interstate highways; to the Committee on Interstate and Foreign Commerce.

7766. By Mr. KENNEDY: Petition of the New York Chapter of the Knights of Columbus, opposing the passage of House bill 11082; to the Committee on Education.

7767. By Mr. KLEBERG: Petition of 202 citizens of San Antonio, Tex., opposing the passage of House bill 8092 and Senate bill 1202; to the Committee on the District of Columbia.

7768. Also, petition of 30 citizens of Corpus Christi, Tex., opposing the passage of Senate bill 1202; to the Committee on the District of Columbia.

7769. By Mr. KVALE: Petition of Spooner Farm Bureau Unit, Baudette, Minn., urging enactment of Senate bill 1197; to the Committee on Banking and Currency.

7770. Also, petition of Minneapolis Central Labor Union, opposing passage of Senate bill 3847; to the Committee on Labor.

7771. Also, petition of Local, No. 238, Farmers Union, Bird Island, Minn., urging enactment of Senate bill 2487 and House bill 7797; to the Committee on Agriculture.

7772. Also, petition of Local, No. 238, Farmers Union, Bird Island, Minn., urging enactment of Senate bill 1197; to the Committee on Banking and Currency.

7773. By Mr. LINDSAY: Petition of American Hotel Association of the United States and Canada, favoring the repeal of the eighteenth amendment and the resubmission of a referendum vote by the people; to the Committee on the Judiciary.

7774. Also, petition of New York State Credit Union League, New York City, favoring the passage of Senate bill 1153; to the Committee on the District of Columbia.

7775. Also, petition of Atlas Steel Casting Co., Buffalo, N. Y., favoring the balancing the Budget through a general sales tax; to the Committee on Ways and Means.

7776. By Mr. MEAD: Petition of the American Supply & Machinery Manufacturers Association, regarding the resolution for an emergency industries preservation act; to the Committee on Ways and Means.

7777. Also, petition of Railway Electric Supply Manufacturers' Association, regarding the balancing of the Federal Budget; to the Committee on Ways and Means.

7778. By Mr. RUDD: Petition of New York State Credit Union League, New York City, favoring the passage of Senate bill 1153, for the organization of credit unions in the District of Columbia; to the Committee on the District of Columbia.

7779. Also, petition of American Hotel Association, New York City, favoring the resubmission of the prohibition question to the States; to the Committee on the Judiciary.

7780. By the SPEAKER: Petition of City Council of the City of Chicago, recommending that Federal taxes be reduced to the extent of at least 20 per cent; to the Committee on Ways and Means.

SENATE

TUESDAY, MAY 17, 1932

(Legislative day of Monday, May 9, 1932)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The VICE PRESIDENT. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the House had passed without amendment the following bills and joint resolution of the Senate:

S. 290. An act to establish a memorial to Theodore Roosevelt in the National Capital;

S. 418. An act to extend the admiralty laws of the United States of America to the Virgin Islands;

S. 694. An act to authorize the sale of interest in lands devised to the United States under the will of Sophie Chanquet;

S. 2409. An act to amend Title II of the Federal farm loan act in regard to Federal intermediate-credit banks, and for other purposes;

S. 2955. An act to amend the World War veterans' act, 1924, as amended;

S. 4148. An act to permit the United States to be made a party defendant in certain cases;

S. 4289. An act to amend the act of February 23, 1927, as amended (U. S. C., title 47, sec. 85), and for other purposes;

S. 4416. An act to provide for the transfer of certain school lands in North Dakota to the International Peace Garden (Inc.); and

S. J. Res. 75. Joint resolution authorizing the Joint Committee on the Library to procure an oil portrait of former President Calvin Coolidge.

The message also announced that the House had passed the bill (S. 1335) to provide for the appointment of an additional district judge for the district of New Jersey, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 4738. An act to incorporate the Disabled American Veterans of the World War;

H. R. 6599. An act to amend the act entitled "An act to authorize the construction and procurement of aircraft and aircraft equipment in the Navy and Marine Corps, and to adjust and define the status of the operating personnel in connection therewith," approved June 24, 1926, with reference to the number of enlisted pilots in the Navy;

H. R. 6678. An act amending section 1 of the act of March 3, 1893 (27 Stat. L. 751), providing for the method of selling real estate under an order or decree of any United States court;

H. R. 6735. An act to authorize the Secretary of the Navy to fix the clothing allowance for enlisted men of the Navy;

H. R. 7232. An act providing for settlement of claims of officers and enlisted men for extra pay provided by act of January 12, 1899;

H. R. 7238. An act to amend section 5 of the suits in admiralty act, approved March 9, 1920;

H. R. 7793. An act to secure the departure of certain aliens from the United States;

H. R. 8173. An act to provide for the renewal of 5-year level-premium term Government insurance policies for an additional 5-year period without medical examination;

H. R. 8577. An act to amend section 95 of the Judicial Code, as amended;

H. R. 9058. An act to authorize the Secretary of War to accept on behalf of the United States a tract or parcel of land for park purposes to the Chickamauga-Chattanooga National Military Park;

H. R. 9385. An act authorizing Roy H. Campbell, Charles H. Brown, G. H. Wilsey, and Dr. H. O. Strosnider, their heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Des Moines River at or near St. Francisville, Mo.;

H. R. 10238. An act creating a reimbursable fund to be used for special medical and surgical work among the Indians of the Fort Peck Indian Reservation, Mont., and for other purposes;

H. R. 10585. An act authorizing the Fort Hancock-Porvenir Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Rio Grande at Fort Hancock, Tex.;

H. R. 10587. An act to provide for alternate jurors in certain criminal cases;

H. R. 10589. An act to amend section 289 of the Criminal Code;

H. R. 10590. An act to prohibit the misuse of official insignia;

H. R. 10596. An act to amend an act entitled "An act to make persons charged with crimes and offenses competent witnesses in United States and Territorial courts," approved March 16, 1878, with respect to the competency of husband and wife to testify for or against each other;

H. R. 10599. An act to fix the date when sentence of imprisonment shall begin to run, providing when the allowance to a prisoner of time for good conduct shall begin to run, and further to extend the provisions of the parole laws;

H. R. 10640. An act to provide for the punishment of certain crimes against the United States;

H. R. 10641. An act to amend section 122 of the Judicial Code;

H. R. 10926. An act to authorize the conveyance to the United States of certain lands in the State of Arizona for use of the United States in maintaining air-navigation facilities, and for other purposes;

H. R. 11246. An act authorizing the Boca Chica Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Rio Grande at Boca Chica, Tex.;

H. R. 11336. An act providing for an additional justice of the Court of Appeals of the District of Columbia; and

H. R. 11639. An act to authorize extensions of time on oil and gas prospecting permits, and for other purposes.

THE JOURNAL

Mr. FESS. Mr. President, I ask unanimous consent for the approval of the Journal for the calendar days of May 9 to May 14, both inclusive.

The VICE PRESIDENT. Without objection, it is so ordered.

CALL OF THE ROLL

Mr. FESS. Mr. President, I suggest the absence of a quorum.